

IN THE UNITED STATES DISTRICT COURT  
FOR THE SOUTHERN DISTRICT OF OHIO  
WESTERN DIVISION

<b>BRENDAN BERGER,</b>	)	
	)	
<b>Plaintiff,</b>	)	<b>Case No. 1:19cv00099</b>
	)	
<b>v.</b>	)	<b>Judge: Hon. Susan J. Dlott</b>
	)	<b>Magistrate Judge: Hon. Karen L.</b>
<b>NATIONAL BOARD OF MEDICAL</b>	)	<b>Litkovitz</b>
<b>EXAMINERS,</b>	)	
	)	
<b>Defendant.</b>	)	
	)	

**DECLARATION OF SAMUEL O. ORTIZ, PH.D.**

1. My name is Samuel O. Ortiz. I have personal knowledge of the matters addressed herein.

2. I am a Professor of Psychology at St. John's University, New York. A true and correct copy of my curriculum vitae is attached as Exhibit A to this Declaration.

3. My professional expertise is in the evaluation of learning disabilities and the assessment of culturally and linguistically diverse children, including differentiating cultural and linguistic differences from learning disorders. Throughout my career, I have published numerous articles, books, book chapters, software, and delivered many professional presentations on these topics.

4. In addition to my faculty and research responsibilities, I have served on various committees of the American Psychological Association (APA), including the Committee on Psychological Tests and Assessment, and on the editorial boards of several academic psychology journals, including the Journal of School Psychology, Journal of Applied School Psychology, and Journal of Cognitive Education. I have also consulted for various federal, state, regional, and local education agencies.

5. My work sometimes includes serving as an independent external reviewer for organizations that administer high-stakes examinations, regarding requests for accommodations from prospective examinees. The organizations for which I have served as an independent external professional include the National Council of Examiners for Engineering and Surveying and the National Board of Medical Examiners (NBME). I have also provided training for external consultants in this regard for other testing organizations including the Educational Testing Service and College Board.

6. I was asked by NBME to review a request for testing accommodations that NBME received from Brendan Berger, for the United States Medical Licensing Examination, Step 2 CK. More specifically, I was asked to provide an opinion on whether Mr. Berger's supporting documentation supports his request for accommodation based on an impairment in the areas of reading and written expression, and if the evidence supports Mr. Berger's claim, whether the requested accommodations are reasonable and appropriate. I was not asked to express an opinion on Mr. Berger's claimed ADHD impairment, and I did not do so. A true and correct copy of my report to NBME is attached as Exhibit B.

7. To the best of my knowledge, I reviewed all the supporting documentation that Mr. Berger provided to NBME in support of his request for accommodations on the Step 2 CK exam. The discussion that follows is based upon my review of that documentation.

**Mr. Berger's Early Development and Acquisition of Basic Academic Skills**

8. When arriving at a diagnosis of a specific learning disability, it is crucial to establish early difficulties in the development and acquisition of basic academic skills.

9. As a child, Mr. Berger was able to learn to read and write at a level that was in fact commensurate with his peers. His current difficulties did not exist in his early development and do not support the presence of a learning disability.

10. Although Mr. Berger asserted in his documentation that he "already had difficulty with reading and writing" in first grade, he had been placed in an enrichment program for gifted

students at that point. If he had been viewed, as he says, as a “bad” student or a “slacker,” it is unlikely that he would not have been placed into such a program or else, after entry into the program, his tenure would have been brief if he were unable to keep up with the reading and writing demands of the curriculum.

11. Mr. Berger was homeschooled from second through the fifth grade. No information was available in his documentation about the rigors of his homeschooling, except that his mother used the time to teach him “how to read using phonics.”

### **Evaluation History**

12. Sharon Collins, M.S., C.C.C., evaluated Mr. Berger when he was six and a half years old and attending kindergarten in public school. Ms. Collins was a speech-language pathologist, not a psychologist. Ms. Collins concluded that there was some “delayed receptive language abilities” and “delayed written language skills.” It is likely that Ms. Collins’ conclusion regarding Mr. Berger’s language abilities were unduly influenced by one extreme outlier on the tests. Additionally, it appears from the documentation that Ms. Collins never tested Mr. Berger’s written language skills, rendering her second conclusion unsupportable. Ms. Collins’ diagnosis was not of a learning disability but of a possible language disorder.

13. Jeanne Artner evaluated Mr. Berger when he was eight years old, in second grade and being home-schooled. She administered the WJ-R Tests of Achievement. On the subtests relating to reading and writing, Mr. Berger’s skills were comparable to those of other children of the same age in the general population. His testing reflected “average ability” and “average” academic skills.

14. Dr. Artner did not formally diagnose Mr. Berger as having a learning disability but she noted a discrepancy between Mr. Berger’s average ability and his (incorrectly characterized) second-grade academic skills. Even if this discrepancy were, as Dr. Artner labeled it, “severe”—which it was not—the mathematical discrepancies between ability scores and academic scores

would have been a wholly insufficient basis from which to base a learning disability diagnosis. Such reasoning has been roundly discredited by research when used by itself.

15. Dr. Artner relied on Mr. Berger's parents' description of Mr. Berger's learning process as being "minimal." However, Mr. Berger was attaining "average" performance. The Bergers may have considered average performance as being insufficient in terms of their expectations for Mr. Berger. Mr. Berger's father is a plastic surgeon. Mrs. Berger has a college degree and taught high school while she was residing in France. The Bergers had placed their son in three years of pre-school education, some of which was in a Montessori program.

16. Dr. Alexander Smith evaluated Mr. Berger in 2003, when Mr. Berger was 17. Dr. Smith also evaluated Mr. Berger in 2008 and 2010.

17. Dr. Smith was the first evaluator to suggest that Mr. Berger had a learning disability, when Mr. Berger was a junior in high school in 2003. Dr. Smith provided a "suggested diagnosis" of "Learning Disorder of Written Language," which he seemed to give somewhat reluctantly and with great equivocation because Mr. Berger's score discrepancies "*do not meet the State of Ohio educational guidelines*" (emphasis added). Dr. Smith concluded that an IEP team could "override" the guidelines to provide a "possible qualification for special education assistance," but Dr. Smith was incorrect—IDEA specifically prohibits the providing of special education services solely on the basis of academic need and in the absence of a qualifying disability. Moreover, Dr. Smith was reluctant to suggest this course of action, stating that it "may not be very practical or useful given the overall context of [Mr. Berger]'s current level of functioning." Instead, Dr. Smith informed the Berger family that "the most expedient path would appear to be specific academic coaching around composition."

18. In 2008, Dr. Smith provided Mr. Berger with his first formal diagnosis of a learning disability—in written expression but not reading.

19. In 2010, Dr. Smith shifts his focus to explore dyslexia but does not offer a diagnosis of learning disability in reading.



20. Dr. Beach evaluated Mr. Berger in 2010 and diagnosed a severe reading disorder—even though no earlier evaluation had mentioned a severe reading disorder. Dr. Beach evaluated Mr. Berger in 2013 and 2017 as well.

21. Mr. Berger showed no early history of learning disabilities and later evaluations have mischaracterized or mistakenly relied upon early findings in support of the provided diagnoses.

**All of Mr. Berger's Evaluations Ignored His Bilingual Upbringing**

22. Dr. Smith noted that Mr. Berger “has grown up in a bi-lingual family.” Dr. Artner noted that French is “often spoken in the home” and that Mr. Berger “understands French but does not speak it.” Neither, however, addressed this information relative to whether Mr. Berger might have a learning disorder.

23. Even if Mr. Berger is not able to fully or fluently speak French, his ability to understand French implicates the presence of a great deal of exposure to and experience with French that cannot be dismissed as being of little relevance or insignificant. It was “often spoken,” which implies that a large portion of Mr. Berger’s early language exposure and development was occurring in French, not just in English.

24. Although the evaluators ignored Mr. Berger’s bilingual upbringing, this fact reveals the most straightforward, direct, and reasonable explanation for the patterns seen in his educational history.

25. In my opinion, there is no reason to parse the data relative to supporting or not supporting a learning disability diagnosis, found in the evaluations that were conducted on Mr. Berger, because they all failed to consider and reconcile the comparison of a bilingual individual's performance with norms established on monolingual English speakers. The failure to account for and interpret results in the context of Mr. Berger’s bilingual experiences and development serves to effectively invalidate the meaning that has been ascribed to the scores presented in each evaluation, as well as the interpretations and diagnoses upon which they were predicated.

26. Mr. Berger's bilingual status provides a far more plausible and definitive explanation for why he displayed apparent difficulties in reading and writing development that have in some ways, but not others, mimicked a learning disability.

27. Dr. Beach noted that Mr. Berger "grew up in a family with English as the primary language, and he speaks English fluently." But Dr. Beach fails to appreciate the significance of having been raised with two languages and the common tendency to diminish the impact of another language by claiming dominance, primary status, or sufficient "fluency" in English as justification for ignoring the issue altogether.

28. Mr. Berger should have been evaluated as bilingual instead of monolingual.

29. In each of Mr. Berger's evaluations, the tests that he took were normed primarily, if not exclusively, on monolingual, native English-speakers. As such, the evaluators were comparing the development of an individual whose background and experiences were not comparable to the individuals on whom the normative standards and expectations of performance were based.

30. Current research shows that there are cognitive and academic advantages to bilingualism when it extends to a level that includes biliteracy, but those beneficial effects are observed later, not early on. Young bilingual individuals may have comparative receptive vocabulary delays because they cannot, by definition, receive the same amount of language exposure early on as individuals who are learning only one language.

31. Consider that if we allow the proportion of language heard in English vs. French by Mr. Berger when he was growing up to be set very much in favor of English, say 65% to only 35% French. This would mean that when entering kindergarten, he would have only about two thirds of the amount of language development that his peers possessed in kindergarten. To put this in concrete terms, the average kindergarten student has approximately 2000 words in their receptive vocabulary. An individual like Mr. Berger would thus have possessed only about 1300 words in comparison, or the equivalent of what a young 4-year-old might possess. Therefore, it is

no surprise that this is precisely what Ms. Collins observed—lower than expected receptive language but average expressive language, given that measurement of expressive language is invariably at a lower threshold than receptive at that age. The apparent delay in receptive abilities was the product of having to learn two different repositories of vocabulary which, as also noted, caused an initial and mild delay in speech production early on. Once Mr. Berger's exposure to English had time to develop, the receptive-expressive vocabulary gap grew less and less meaningful and began to result in better than expected achievement as indicated by his most recent lexical-based score. Thus, Mr. Berger's bilingual development, which has been quite normal, was mistaken for signs of an early language problem.

32. Similarly, the "severe discrepancies" reported by Dr. Artner between cognitive ability and academic performance and the statement by Dr. Smith that "reading and writing were very problematic when Brendan began school" make much more sense in light of the fact that Mr. Berger was attempting to learn to read and write at a point in his development where he was effectively behind in terms of English language development as compared to his monolingual English-speaking peers.

33. Learning to read and write is often predicated on the application of phonological awareness abilities, relying on the use of simple words that are phonetically regular and within an individual's existing receptive vocabulary. But both English and French are "opaque" languages, where there are not close parallels between the way sounds and words are pronounced with how they are spelled. Bilingual children often have difficulty because they possess a lower receptive vocabulary on which to draw.

34. The difficulties listed by Dr. Beach—severe limitations in phonological analysis, word decoding, spelling, delayed acquisition of letter-sound correspondence skills, and limitations in written math ability and fluency—are very reflective of the types of difficulties that would be predicted by Mr. Berger's language development and background.

**Mr. Berger's Enhanced Scores in Unlimited Test Time Scenarios Are Not Indicative of a Learning Disability**

35. In documentation submitted to NBME, Mr. Berger and his attorney asserted that his ability to perform better under un-timed conditions is suggestive of a learning problem. But the ability to better perform under un-timed conditions is true for most people, both with and without learning disabilities.

36. Timed tests are used to differentiate performance among individuals who would otherwise be indiscernible in ability if given unlimited time. Timing a test normalizes the amount of knowledge that can be demonstrated within a period of time.

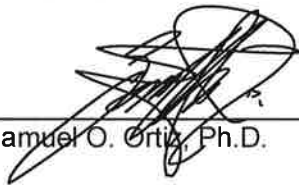
37. There is no empirical basis to claim that comparing performance on timed tests with performance on untimed tests reveals the presence of a learning disability.

38. There is a strong likelihood that, over the years of being allowed untimed testing conditions on exams taken in high school, college and medical school (as Mr. Berger alleges has been the case), he learned to take his time and developed a particular test-taking style and preferences. In those contexts, it was not essential for him to be efficient or concerned with typical time constraints. Mr. Berger's test results show a high degree of consistency in non-fluency tasks (e.g., Reading Comprehension, Basic Reading Skills, Math Reasoning, and Written Expression) but a large magnitude of fluctuation in fluency-related tasks such as Reading Fluency, Writing Fluency, and Math Fluency. The fluctuation in fluency-related tasks, but not in non-fluency tasks, do not indicate a learning disability, but rather supports the notion that Mr. Berger most likely has learned to disregard time constraints.

39. I do not believe that Mr. Berger was properly diagnosed as having a learning disability, and I respectfully disagree with the diagnoses provided by Dr. Beach. Likewise, regardless of the source of any functional limitations that he experiences, the evidence I reviewed does not support the conclusion that Mr. Berger is substantially limited in his ability to read, think, or concentrate as compared to most people in the general population.

40. Extra time may well be something that assists Mr. Berger in performing better, but his need for extra time is not, in my opinion, rooted in a learning disability. Instead, his learning issues are better explained as the result of his early developmental language differences and the failure of his evaluators to consider the impact of these bilingual influences as a reasonable explanation for his observed academic performance.

I declare under penalty of perjury that the foregoing is true and correct. Executed on July 23, 2019.

  
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Samuel O. Ortiz, Ph.D.

# EXHIBIT A

## CURRICULUM VITA

### SAMUEL O. ORTIZ, PH.D.

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### EDUCATIONAL BACKGROUND

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INSTITUTION	DEGREE	DATES	SPECIALIZATION
<b>San Diego State University</b> (NASP Approved)	Post Doctorate	1993-1995	Bilingual School Psychology
<b>University of Southern California</b> (APA Approved)	Ph.D.	Jan 1993	Clinical Psychology
<b>University of Southern California</b>	M.A.	Dec 1986	Clinical Psychology
<b>University of Southern California</b>	B.A.	May 1983	Psychology
<b>University of Southern California</b>	B.S.	May 1982	Architecture

### DISSERTATION TITLE

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**BACK TO THE FUTURE OF MARRIAGE:** A restudy of the theoretical and methodological foundations of husband-wife data invariance and aggregation methods used in the evaluation and assessment of family stress theory.

Co-mentored by David L. Walsh, Ph.D. and John L. Horn, Ph.D.

### LICENSURE AND CERTIFICATION

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**Pupil Personnel Services (PPS) Credential with Specialization in School Psychology**, June 1995. San Diego State University (*Program accredited by National Association of School Psychologists*)

**Cross-cultural, Academic, and Language Development Certificate**, January 1996. California Commission on Teacher Credentialing

**Certified Trainer, Special Project in Bilingual Special Education**, April 1995. University of Texas, Austin

## UNIVERSITY TEACHING POSITIONS

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**Professor with Tenure**, Department of Psychology, St. John's University, Queens, NY, 9/09 – Present.

This is a full-time position. Major responsibilities include teaching assigned graduate courses in the NASP approved M.S. and APA accredited Psy.D. Programs in School Psychology and in the APA Accredited Ph.D. Program in Clinical Psychology and coordinating the Bilingual Track sequence for students obtaining the Bilingual Extension certification in addition to the PPS credential in School Psychology. Duties also include graduate and undergraduate advisement and administrative tasks. A primary requirement of this position involves the design and implementation of original research, writing and preparation of manuscripts for publication and dissemination of research findings via journals articles, books, and presentations at professional conferences. Other duties include mentoring student dissertations and fostering the development of bilingual-bicultural skills and competencies leading to bilingual certification in NY State.

**Associate Professor with Tenure**, Department of Psychology, St. John's University, Queens, NY, 9/99 –

8/09. This is a full-time position. Major responsibilities include teaching assigned graduate courses in the NASP approved M.S. and APA accredited Psy.D. Programs in School Psychology and in the APA Accredited Ph.D. Program in Clinical Psychology. Duties also include graduate and undergraduate advisement and administrative tasks. A primary requirement of this position involves the design and implementation of original research, writing and preparation of manuscripts for publication and dissemination of research findings via journals articles, books, and presentations at professional conferences. Other duties include mentoring student dissertations and fostering the development of bilingual-bicultural skills and competencies leading to bilingual certification in NY State.

**Associate Professor and Interim Co-Director, School Psychology Program**, Department of

Psychology, St. John's University, Queens, NY, 9/01 – 8/02. Served as interim co-director (with Dr. Dawn P. Flanagan) of the School Psychology Program overseeing the education and training of approximately 120 students in NASP accredited M.S. and Psy.D. Programs including general and bilingual tracks. Major responsibilities included management of course scheduling and sequencing, student advisement and problem solving, maintaining currency within the curriculum in accordance with state and professional accrediting agencies, overseeing administration of comprehensive examinations, guidance and leadership in admissions and recruitment, and professional development and liaison with community agencies and other local educational bodies including public schools, private schools, community colleges, and universities.

**Visiting Professor and Research Fellow**, School of Education, Nagoya University, Nagoya, Japan,

11/99 – 4/00. This is a full-time, visiting professorship and research position sponsored by the Educational Psychology Department. The proposed topic of research is titled, "Defining the Role of the School Psychologist in Japan" and the purpose is to assist in the development of school psychology training standards, outcome objectives for graduates, and appropriate curricula. School psychology is a new profession in Japan, officially begun only two years ago. As such, there is a need to bridge the training programs used in clinical psychology into new programs that specifically develop school psychologists who possess the requisite competencies and skills necessary to serve the needs of the public educational system in Japan. In addition to research duties, the position requires teaching of two courses in school psychology as well as presentations at various conferences and for educationally related organizations throughout the country.

**Assistant Professor**, Department of Counseling and School Psychology, San Diego State University,

San Diego, CA., 9/96 - 6/99. This was a full-time, tenure track position in the NASP accredited M.S. degree program in Counseling with Specialization in School Psychology. Major responsibilities include teaching of four graduate level courses each semester as well as advisement and administrative duties. The position also carries demands related to designing and conducting original research, writing and preparation of manuscripts for publication, and dissemination of information via professional conferences. Other duties include mentoring students supported through various federally funded training projects in the development of bilingual-bicultural skills and knowledge as well as the provision



of training and support to faculty in the areas of email, internet, and other applications of technology.

**Lecturer**, Department of Counseling and School Psychology, San Diego State University, San Diego, CA., 8/95 - 8/96. This position was a full-time, non-tenure track position involving teaching of graduate level courses (four), general student advisement duties, and mentoring of graduate students within the NASP accredited M.S. degree program in Counseling with Specialization in School Psychology.

## PROFESSIONAL LEADERSHIP EXPERIENCE

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**Member, National Joint Center on Learning Disabilities – Roundtable Conference on SLD Identification in the age of RTI**, 12/13. Served as an invited member representing the National Association of School Psychologists to participate in the NJCLD Discussion Committee on the development of best practices in the identification of SLD within a response-to-intervention framework. Provided consultation and input regarding best practices and current evidence-based approaches for the evaluation of SLD and consistent with IDEA statutes and regulations.

**Member, APA Task Force on Development of Initiatives from Psychological Science to Reduce Educational Disparities**, 09/10 – 12/12; This task force was created by APA President-elect, Dr. Melba Vasquez, with the charge to explore what psychology can contribute in addressing the impact of educational disparities, especially on poor and racial/ethnic minority students. Specific objectives of the task force include: 1) identify what psychological science has to say about the nature and source of educational disparities; 2) identify interventions that have been successful in addressing these gaps on the part of schools, families, communities, and the young people themselves; and 3) make recommendations to psychologists and the public regarding implications from this body of work to practice, policy and research. In addition to Dr. Vasquez, other members of the task force include Dr. Stephen Quintana (Chair; UW Madison), Dr. Wade Boykin (Howard University), Dr. Frank Worrell (UC Berkeley), and Dr. Sandra Graham (UCLA).

**Member, APA Committee on Psychological Tests and Assessment**, First Term: 1/05 – 1/08; Second Term: 1/09 – 1/11; Third Term: 1/11 – 14. CPTA is an APA-wide committee that is responsible for 1) addressing problems regarding sound psychological testing and assessment practices; 2) reviewing the Standards for Educational and Psychological Testing and recommending revision as necessary, 3) serving as technical advisors to other APA boards and committees on all issues affecting testing and assessment as it involves policy, practice, and science; 4) monitoring actions of government and other organizations concerning regulation and control of assessment and testing practices; 5) maintaining knowledge of and concern regarding current policy issues on the use of tests and assessment in clinical, counseling, educational, and employment settings; and 6) promoting the appropriate use of tests and sound assessment practices. Members of CPTA are nominated by the various Boards (e.g., Board of Scientific Affairs, Board of Educational Affairs, and Board for the Advancement of Psychology in the Public Interest). Committee membership is by nomination and election by the constituent parent boards of CPTA (BSA, BEA, BAPPI) and members are chosen specifically for their expertise in the theory, evaluation, and use of tests in clinical, counseling, school, and industrial/organizational psychology, as well as their application to special populations including culturally and linguistically diverse individuals.

**Member, Society for the Study of School Psychology (SSSP)**, Elected to membership 9/2008. The Society for the Study of School Psychology is a members-only professional organization limited to approximately 100 scholars in the field who are elected by existing members. Election into the Society represents acknowledgment of a national impact and influence in terms of scholarly work in the field of school psychology and is granted on a permanent basis. The SSSP is known for its sponsorship of various conferences such as the School Psychology Research Collaboration Conference (for which I have previously served as a Senior Mentor) and its flagship journal, *Journal of School Psychology*, which is one of the premier publications in the field.

**Member, New York State Committee of Practitioners on Limited English Pupils and English Language Learners**, 10/07 – present; Committee of Practitioners (COP) membership is by invitation of the Office for Bilingual Education of New York State Department of Education and provides a forum

where policy, legislation, and other educational issues regarding services and programs for limited English-speaking students are discussed and formulated. COP membership includes a diverse group of individuals with expertise in a variety of areas relevant to the education of English learners. My service is and contribution is based on my expertise in the assessment and evaluation of individuals with limited English proficiency.

**Member, Advisory Panel to the Bilingual School Psychology Support Center, Fordham University,** 06/08 – present; The Bilingual School Psychology Center was established by New York State Department of Education and provides a central clearinghouse function for the promotion and advancement of bilingual school psychology in professional practice. Membership is by invitation and only and predicated upon expertise in various areas of bilingual school psychology. My service and contribution is based on my expertise in the assessment and evaluation of individuals with limited English proficiency. The advisory panel serves to formulate policy, programs, as well as goals and objectives for the Center in its support for the practice of bilingual school psychology in the greater New York metropolitan area.

**Member, APA Coalition for Psychology in Schools and Education,** First Term: 6/06 – 1/08; Second Term: 1/09 – 1/11; Third Term: 1/11 – present. CPSE is a new coalition formed by APA to serve as a consulting body on matters of educational and psychological policy in the schools to APA's lobbying efforts in congress. The coalition advised APA's lobbyists on matters of policy and wording relative to such mandates as No Child Left Behind and other legislation related to the science or practice of psychology in the schools. Committee members are selected for their expertise in areas where psychology and education intersect. My contributions have revolved around issues and policies dealing with the education and evaluation of English language learners and educational strategies for improving academic outcomes.

**Vice President for Professional Affairs, APA Division 16, School Psychology,** 1/03 – 12/05. The office of VP-PA is concerned with all aspects of school psychology as a professional discipline. In particular, this position is responsible for developing and promulgating standards and policies for the delivery of quality school psychological services, furthering the development of school psychology as a professional specialty within American psychology, acting as liaison with state school psychology associations and encouraging constructive relations with other professional groups. This VP is also responsible for interacting with such important APA boards and committees as the Board of Professional Affairs (BPA) and its Committee on Psychological Practice and Standards (COPPS) and works closely with the Psychology in the Schools Office within the Practice Directorate as well representing the division as liaison to the Committee for the Advancement of Professional Psychology (CAPP). Other duties include: a) provide a school psychology perspective on issues under consideration by such groups through correspondence, phone contacts and attendance at meetings as necessary and feasible; b) inform the other Division Officers of activities and actions of relevant APA boards and committees and coordinate divisional response to requests for the division's position from practice-related APA groups; c) respond to requests for information from members, other professional association, media people, etc. for information about school psychology practice in general or practice-related policies of the Division; d) facilitate, coordinate and monitor the activities of committees, liaisons, and task forces reporting to this vice president including soliciting committee chairs and members, processing requests for payment, providing direction about objectives, etc.; and e) attend all business meetings of the Division 16 Executive Committee at the Annual Convention and Mid-Winter Meetings including preparing a written report for the agenda book of each meeting, preparing a proposed budget and accounting of disbursed funds, preparing written motions and informational items, etc.

## **RELATED PROFESSIONAL EXPERIENCE**

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**Consultant, National Board of Medical Examiners, Office of Test Accommodations,** Philadelphia, PA, 7/99 - present. Provided oral and written reports regarding the validity of requests made to the NBME for accommodations to licensing exams requested by individuals with disabilities pursuant to ADA. Requests are evaluated based on documentation submitted in support of the existence of a qualifying disability and assessed against both clinical and psychometric standards of psychological practice as well as the qualifying criteria specified in ADA. Opinion is rendered as to whether the evidence supports the presence of a qualifying disability, and if so, whether the accommodations are appropriate given the

nature of the disability. In addition to factors surrounding the identification and diagnosis of learning disabilities, such evaluations also often include issues related to second language acquisition and bilingual development that must be considered.

**Bilingual-Bicultural School Psychologist**, Encinitas Union School District, Encinitas, CA, 7/94 - 8/96.

Provided general, bilingual, and cross-cultural school psychology services for several schools in a K-6 district with approximately 5,000 enrolled students. Major duties and responsibilities included consultation and liaison with general education teachers and staff, assisting in SST meetings and decision making, planning and implementation of Section 504 accommodations, initial and triennial assessments for special education, and providing individual and group counseling. Other significant activities involved leadership positions within the district and SELPA on policy issues ranging from bilingual GATE assessment, triennial evaluation practices, bilingual special education program development, and development of guidelines for creating culturally and linguistically appropriate IEP goals and objectives. Other projects completed for the district included the development and presentation of in-service workshops to general and special education staff on various issues including CCR self review findings, second language acquisition process and bilingual development, pattern analysis and application of the Woodcock-Johnson Revised Tests of Cognitive Ability and Achievement and sheltered English instructional techniques.

**Trainer and Consultant, Bilingual-Multicultural Education and Assessment**. 7/94 - present.

Provided independent bilingual, multicultural education and assessment training and consultation services and instructional presentations for various school districts and educationally related professional groups. Focus of consultation and presentation topics include, the use of ecosystems procedures in the assessment of CLD children; bridging assessment results with the development of culturally and linguistically appropriate goals and objectives; best practices in the assessment of CLD children; use of dynamic assessment in bilingual evaluations; legal issues related to assessment of CLD students; and parental rights and responsibilities in the special education process. Domestic clients include Nevada State Department of Education, California State Department of Education, Washington Elementary School District (Phoenix, AZ), Clark County School District (Las Vegas, NV), Fresno Unified School District, Kern County Consortium for Special Education, Long Beach Unified School District, Los Angeles Unified School District, Encinitas Union School District, North Coastal Consortium for Special Education, California Department of Migrant Education, and San Diego County Office of Education. International clients include University of Nagoya (Japan), University of Hokkaido (Japan), University of Saskatoon (Canada), and Departamento de Educación, Estado Baja California (México).

**Chief of Mental Health Services**, USAF Hospital, Patrick AFB, FL., 6/89 - 8/91. Responsible for the organization, administration, medical readiness, supervision, and training of the mental health staff, including clinical social workers, prevention and outreach social workers, senior and junior mental health technicians, secretary, and receptionist in a hospital environment. Major facilities included an outpatient clinic with over 7,000 visits annually. Major programs included the Family Advocacy Program (child abuse identification and prevention), Outreach Program (primary prevention services and referral), and Health Promotions Program (stress, hypertension, diabetes, and nutritional management, smoking cessation, etc.) General treatment services rendered included psychological evaluations, psychometric testing and interpretation, drug and alcohol evaluations, individual, group and marital therapy, pharmacotherapy, limited inpatient treatment, competency evaluations, emergency hospitalizations and involuntary commitments, 24-hour emergency consultation and treatment, and psychiatric consultation/liaison to the medical staff. Other significant duties included membership on the Executive Committee of the Medical Staff, Base Hostage Negotiation Team, and Base Social Actions (drug and alcohol) Intervention Committee. Patient population included active duty military, dependents, and retirees.

**Staff Psychologist**, USAF Hospital, Patrick AFB, FL., 9/88 - 5/89. Provided direct inpatient and outpatient psychological services in a hospital setting including psychological evaluations, testing and interpretation, drug and alcohol evaluation, individual, group and marital therapy, acute inpatient care, competency evaluations, involuntary commitments, emergency consultation, and psychiatric consultation/liaison. Other duties involved the development and presentation of Health Promotions Programs, including Stress Management Courses and seminars in Weight Management and Anger Control. Administrative duties included Quality Assurance/Risk Management Coordinator, and



development and implementation of monitoring and evaluation studies.

**Psychological Assistant**, Forensic Psychology Associates, Los Angeles, CA, 9/85 - 7/87. Provided individual and group psychotherapy to children, adolescents, and adults in court related or court referred cases in a private practice office setting. Performed psychological evaluations, functional capacity assessments, and Supplemental Security Income evaluations for the State of California. Special treatment foci on victims and perpetrators of sexual abuse, and repeat sex offenders.

## **SPECIALIZED TRAINING AND EDUCATIONAL EXPERIENCE**

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**Post-doctorate in Bilingual School Psychology**, San Diego State University, San Diego, CA 6/93 – 5/95. Completed a two-and-a-half-year program of study in bilingual school psychology leading to a PPS credential with Specialization in School Psychology. The program provided extensive and intensive training in the delivery of a broad range of psychological services to culturally and linguistically diverse populations, with emphasis on the development of bilingual/bicultural competencies. The program was designed to provide the necessary educational and professional experiences required for the development of competency in bilingual school psychology.

**School Psychology Internship**, Encinitas Union School District, Encinitas, CA, 7/94 - 6/95. Completed a comprehensive one-year, full-time, **NASP approved** school psychology internship program required for the PPS Credential with Specialization in School Psychology. Developed experience in a wide variety of services including psychoeducational assessments and evaluations, special education referrals, ADD/ADHD referrals, requests for Section 504 accommodations, and consultation services. Other services included counseling, behavioral intervention and planning for Hughes Bill students, pre-expulsion assessments, in service trainings on bilingual-bicultural education and second language acquisition issues, and technological competence in school psychology and related computer applications.

**School Psychology Traineeship**, Bilingual Interdisciplinary Collaboration Project, San Diego State University, San Diego, CA, 9/93 - 6/94. Preservice training grant funded by the U.S. Department of Education, Office of Special Education Programs. Focus of the project was on interdisciplinary collaboration and training of bilingual school psychologists with bilingual speech-language pathologists. Participated in monthly field exchanges with speech-language pathology trainees in various school and clinic settings. Developed knowledge base regarding the roles, assessment practices, and service delivery models of speech-language specialists. Increased shared expertise and established collaborative approaches to serving Spanish-speaking children, their families and teachers.

**School Psychology Traineeship**, Bilingual-Bicultural (Hispanic) School Psychology Project, San Diego State University, San Diego, CA 6/93 - 5/95. Preservice training grant funded by the U.S. Department of Education, Office of Special Education Programs. A special education personnel services training project to prepare school psychologists who specialize in the nondiscriminatory assessment of bilingual-bicultural (Hispanic) children—a "special population." Participated in weekly seminars focused on issues related to the psychoeducational evaluation of Hispanic children including second language acquisition factors, cultural bridging, culture learning techniques, and development of appropriate evaluation procedures. Training was extended into summer "institutes" with weeklong seminars from practicing professionals and culminated in a two-week immersion experience in Cuernavaca, Mexico.

**School Psychology Traineeship**, Spanish-English Language Proficiency Project, San Diego State University, San Diego, CA 6/93 - 9/94. Preservice training grant funded by the U.S. Department of Education, Office of Special Education Programs. The grant is essentially a special education personnel services training project to assist school psychologists in the development and refinement of Spanish language skills and literacy. Participated in weekly seminars focused on the development, practice and use of Spanish language skills including reading, writing, and speaking in a Spanish immersion experience with peers and colleagues. Additional training included participation in extended summer Spanish language "institutes" and language experiences in a variety of Mexican cities, including Tijuana, Puerto Nuevo, Rosarito Beach, Ensenada, and Mexicali.

**Clinical Psychology Internship**, USAF Medical Center, Wright Patterson AFB, OH, 9/87 - 8/88.  
Completed a general, one-year, **APA approved** clinical psychology residency required for the Ph.D. degree. Major rotations included consultation/liaison psychiatry, behavioral health (including biofeedback training), outpatient therapy, inpatient therapy, and neuropsychology. Conducted at a large, military medical center. Supervision by various staff members including clinical psychologists, psychiatrists, and physicians.

## PUBLICATIONS - ARTICLES

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Ortiz, S.O. & Misak, R. M. (2007). *Cross-Battery Assessment SLD Assistant, version 1.0 (XBA SLD-A v1.0)*. Available on CD published with *Essentials of Cross-Battery Assessment, Second Edition*. New York: Wiley Press.

## PUBLICATIONS – OTHER

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- Ortiz, S. O. (2018). Chapter 10: Intellectual Assessment. In *Minnesota Department of Education: English Learner Companion*, St. Paul, MN: Minnesota Department of Education.
- National Association of School Psychologists. (2015). *The provision of school psychological services to bilingual students* [Position statement]. Bethesda, MD: Author (working group member author)
- Rinaldi, C., Ortiz, S.O., Gamm, S. (2014). *RTI-Based SLD Identification Toolkit: Considerations for English Language Learners*. Available at <http://rtinetwork.org/getstarted/sld-identification-toolkit/ld-identification-toolkit-considerations-for-ell>
- Quintana, S. M., Boykin, W., Fugligni, A., Graham, S., Howes, C., Ortiz, S. O., and Worrell, F. C. (2012). *Ethnic and Racial Disparities in Education: Psychology's Contributions to Understanding and Reducing Disparities*. A report by the American Psychological Association Presidential (Melba Vasquez) Task Force on Educational Disparities. Approved by APA Delegate Assembly, August 2, 2012.

## PROFESSIONAL CONFERENCE WORKSHOPS AND PRESENTATIONS

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- Ortiz, S. O. (2019, May). *Evidence-based Evaluation of SLD with English Learners: Contemporary evaluation via X-BASS, C-LIM, and the Ortiz PVAT*. San Diego County Association of School Psychologists, San Diego, CA.
- Ortiz, S. O. (2019, April). *Assessment of English Learners: Evidence-based evaluation and best practice*. New Jersey Association of School Psychologists, Edison, NJ.
- Ortiz, S. O. (2019, April). *Assessment of English Learners: Evidence-based evaluation and best practice*. Kern County Association of School Psychologists, Bakersfield, CA.
- Ortiz, S. O. (2019, April). *Evidence-Based Evaluation of SLD with English Learners: Integration and application of PSW and C-LIM*. 14<sup>th</sup> Annual School Neuropsychology Conference, Long Beach, CA.
- Ortiz, S. O. (2019, April). *Evidence-based Evaluation of English Learners: A contemporary approach to testing for all practitioners*. Delaware Association of School Psychologists, Rehoboth Beach, DE.
- Ortiz, S. O. (2019, March). *Evidence-based Evaluation of English Learners: A contemporary approach to testing for all practitioners*. Stanislaus County Association of School Psychologists, Modesto, CA.
- Ortiz, S. O. (2019, March). *Evidence-based Evaluation of English Learners: A contemporary approach to testing for all practitioners*. Riverside Association of School Psychologists, Murietta, CA.
- Ortiz, S. O. (2019, March). *Evidence-based Evaluation of English Learners: A contemporary approach to testing for all practitioners*. Orange County Association of School Psychologists, Irvine, CA.
- Ortiz, S. O. (2019, February). *Integration of the Ortiz PVAT in Evidence-Based Evaluation of English Learners: New directions in fairness in evaluation of English speakers and English learners*. National Association of School Psychologists, Atlanta, GA.
- Ortiz, S. O. (2019, February). *Evidence-based Assessment of English Learners: A contemporary approach to testing for all practitioners*. Kent/Akron Association of School Psychologists, Fairlawn, OH.
- Ortiz, S. O., Wong, J. Y., and Solomon, J. (2018, November). *Fairness in the Assessment of English Language Learners: Toward true peer group measurement*. American Speech-Language and Hearing

Association, Boston, MA.

Ortiz, S. O. (2018, November). *Language Differences vs. Learning Disorders: A developmental perspective on disentangling SLD in English Learners*. Testing Agencies Disability Forum, hosted by the College Board and ETS, New York, NY.

Ortiz, S. O. (2018, November). *Evidence-based Assessments of English Language Learners: A contemporary approach to testing for all practitioners*. New Hampshire Association of School Psychologists, Concord, NH.

Ortiz, S. O. (2018, October). *Evidence-based Evaluation of English Learners: A contemporary approach to testing*. Florida Association of School Psychologists, Orlando, FL.

Ortiz, S. O. (2018, October). *Pre-referral Application of the Ortiz PVAT with English Language Learners: Evaluation for intervention, instruction, progress monitoring, and growth*. New York Association of School Psychologists, Lake Placid, NY.

Ortiz, S. O. (2018, October). *The Ortiz PVAT: Advances in fairness and testing*. Hawai'i Association of School Psychologists, Wailea, HI.

Ortiz, S. O. (2018, October). *Evidence-based Evaluation of English Learners: A contemporary approach to testing*. Hawai'i Association of School Psychologists, Wailea, HI.

Ortiz, S. O. (2018, September). *Evidence-based Evaluation of English Learners: A contemporary approach to testing*. Indiana Association of School Psychologists, Indianapolis, IN.

Ortiz, S. O. (2018, July). *Fairness in Testing: A cross-cultural framework for evidence-based assessment of diverse students*. 13<sup>th</sup> Annual School Neuropsychology Summer Institute, Grapevine, TX.

Ortiz, S. O. (2018, May). *Introducing the Ortiz Picture Vocabulary Acquisition Test (Ortiz PVAT)*. San Diego County Association of School Psychologists, Carlsbad, CA.

Ortiz, S. O. (2018, May). *Evidence-based Evaluation of English Learners: A contemporary approach to testing*. Greater Long Beach Association of School Psychologists, Long Beach, CA.

Ortiz, S. O. (2018, April). *Identification of SLD in English Learners via Pattern of Strengths and Weaknesses (PSW) Using X-BASS and C-LIM*. Maine Association of School Psychologists, Freeport, ME.

Ortiz, S. O. (2018, April). *Evidence-based Evaluation of English Learners: A contemporary approach to testing*. Wyoming School Psychology Association, Casper, WY.

Ortiz, S. O. (2018, April). *Fairness and English Learners: Toward true peer group measurement*. National Council for Measurement in Education/American Educational Research Association Annual Conference, Manhattan, NY.

Ortiz, S. O. (2018, March). *Evidence-based Evaluation of English Learners: A contemporary approach to testing*. Oklahoma School Psychologists Association, Tulsa, OK.

Ortiz, S. O. (2018, March). *Evidence-based Evaluation of English Learners: A contemporary approach to testing*. California Association of School Psychologists, Monterey, CA.

Ortiz, S. O. (2018, March). *Evidence-based Evaluation of English Learners: A contemporary approach to testing for all practitioners*. Temple University School Psychology Conference, Philadelphia, PA.

Ortiz, S. O. (2018, February). *An Introduction to the Ortiz Picture Vocabulary Acquisition Test (Ortiz PVAT): A new direction in tests and testing*. National Association of School Psychologists, Chicago, IL.



- Ortiz, S. O. (2018, February). *Evidence-based Evaluation of English Learners: A contemporary approach to testing*. Ventura County Association of School Psychologists, Ventura, CA.
- Ortiz, S. O. (2018, February). *Fairness in SLD Evaluation with English Learners: Measurement issues in RTI and testing*. Learning Disabilities Association Annual Conference, Atlanta, GA.
- Ortiz, S. O. (2018, January). *Evidence-based Evaluation of English Learners: A contemporary approach to testing*. Minnesota School Psychologists Association, Plymouth, MN.
- Ortiz, S. O. (2017, November). *Contemporary Measurement of Vocabulary Acquisition in an Era of Diversity: Clinical and educational applications of the Ortiz PVAT*. American Speech-Language and Hearing Association, Los Angeles, CA.
- Ortiz, S. O. (2017, November). *Evidence-based Evaluation of English Learners: A contemporary approach to testing*. Texas Association of School Psychologists, Dallas, TX.
- Ortiz, S. O. (2017, November). *Evidence-based Evaluation of English Learners: A contemporary approach to testing*. Florida Association of School Psychologists, Daytona Beach, FL.
- Ortiz, S. O. (2017, October). *Contemporary Assessment of English Learners: Evidence-based evaluation and best practice*. New Mexico Association of School Psychologists, Albuquerque, NM.
- Ortiz, S. O. (2017, October). *Evaluation of Specific Learning Disability via Pattern of Strengths and Weaknesses (PSW) Approach and XBA Procedures*. Maine Association of School Psychologists, Freeport, ME.
- Ortiz, S. O. (2017, October). *Introduction to the Ortiz PVAT: A new direction in evaluation*. New York Association of School Psychologists, White Plains, NY.
- Ortiz, S. O. (2017, October). *Evidence-Based Evaluation of English Learners: A contemporary approach to testing*. New York Association of School Psychologists, White Plains, NY.
- Ortiz, S. O. (2017, October). *Contemporary Assessment of English Learners: Evidence-based evaluation and best practice*. Illinois School Psychologists Association, Chicago, IL.
- Ortiz, S. O. (2017, October). *Contemporary Assessment of English Learners: Evidence-based evaluation and best practice*. California Association of School Psychologists, Los Angeles, CA.
- Ortiz, S. O. (2017, May). *English Language Learners: Instruction and Intervention*. Council for Exceptional Children, Boston, MA.
- Ortiz, S. O. (2017, April). *English Language Learners: Assessment and Intervention*. Maryland Association of School Psychologists, Hanover, MD.
- Ortiz, S. O. (2017, February). *Advanced Psychoeducational Assessment of English Language Learners*. National Association of School Psychologists. San Antonio, TX.
- Ortiz, S. O. (2017, February). *Intermediate Psychoeducational Assessment of English Language Learners*. National Association of School Psychologists. San Antonio, TX.
- Ortiz, S. O. (2017, February). *A Framework for Nondiscriminatory Evaluation and Testing of English Learners*. Psychologists-In-Training (PIT) Program, New York City Department of Education, Jamaica, Queens, NY.
- Ortiz, S. O. (2016, October). *Evidence-based Evaluation of English Language Learners: Bridging research and practice to promote equity in assessment*. New Mexico Association of School Psychologists, Las Cruces, NM.

- Ortiz, S. O. (2016, October). *Evidence-based Evaluation of English Language Learners: Determining simple difference from valid disorder*. Hawaii Association of School Psychologists, Ko'Olina, HI
- Ortiz, S. O. (2016, October). *Evidence-based Evaluation of English Language Learners: Determining simple difference from valid disorder*. Kansas Association of School Psychologists, Manhattan, KS.
- Ortiz, S. O. (2016, August). *Effective Writing about Multicultural Individuals: False Caution vs. True Discretion*. American Psychological Association, Denver, CO.
- Ortiz, S. O. (2016, July). *Evidence-based Assessment and Intervention: Bridging Research and Practice in the Education and Evaluation of English Language Learners*. School Neuropsychology Summer Institute 2011, Dallas, TX.
- Ortiz, S. O. (2016, March). *Collaborative vs. Traditional Models for Educational Service Delivery and Evaluation with English Learners*. Confederation of Oregon State Administrators State English Learners Alliance Conference, Eugene, OR.
- Ortiz, S. O. (2016, March). *Dual Identification of English Learners: Use of a PSW model for determining SLD with English Learners—Introductory Workshop*. Confederation of Oregon State Administrators State English Learners Alliance Conference, Eugene, OR.
- Ortiz, S. O. (2016, March). *Square Pegs in Round Holes: Educating and Evaluating English Learners—Bilinguals are not two monolinguals in one head*. Confederation of Oregon State Administrators State English Learners Alliance Conference, Eugene, OR.
- Ortiz, S. O. (2016, March). *Dual Identification of English Learners: Use of a PSW model for determining SLD with English Learners—Advanced Workshop*. Confederation of Oregon State Administrators State English Learners Alliance Conference, Eugene, OR.
- Ortiz, S. O. (2016, March). *The Assessment of Culturally and Linguistically Diverse Populations: A 50-year dilemma—What progress has been made, what issues remain?* Washington State Association of School Psychologists, Online Webinar.
- Ortiz, S. O. (2016, February). *Educating English Learners: A developmental framework for understanding the literacy needs of English language learners*. Arizona Council for Exceptional Children/Arizona Council of Administrators in Special Education Annual Conference. Phoenix, AZ.
- Ortiz, S. O. (2016, February). *Square Pegs in Round Holes: Educating and Evaluating English Learners—Bilinguals are not two monolinguals in one head*. Arizona Council for Exceptional Children/Arizona Council of Administrators in Special Education Annual Conference. Phoenix, AZ.
- Ortiz, S. O. (2016, February). *Assessing English Learners: Use of PSW for SLD Determination with English Language Learners—A case study*. Arizona Council for Exceptional Children/Arizona Council of Administrators in Special Education Annual Conference. Phoenix, AZ.
- Harris, B., Ortiz, S.O., Sotelo-Dynega, M., Li, C., Lopez, E., Klotz, M.B., and Oganen, M. (2016, February). *The Provision of School Psychological Services to Bilingual Students*. National Association of School Psychologists, New Orleans, LA.
- Ortiz, S. O. (2016, January). *Culturally Proficient Practices in Student Evaluation: Evidence-based procedures for equitable assessment*. Texas Statewide Education Program (SWEP), Dallas, TX.
- Ortiz, S. O. (2016, January). *Use of the C-LIM in Cross-Battery Assessment: Evaluation of an English Language Learner*. Texas Statewide Education Program (SWEP), Dallas, TX.
- Ortiz, S. O. (2015, November). *Social Justice Conference*, Invited Panel Member, Long Island University, Brooklyn Campus, Brooklyn, NY.
- Ortiz, S. O. (2015, October). *Difference vs. Disorder: Best practices in the evaluation of culturally and*

*linguistically diverse learners*. Alaska School Psychologists Association, Anchorage, AK.

Ortiz, S. O. (2015, October). *Square Pegs in Round Holes: Addressing educational challenges for culturally and linguistically diverse learners*. Alaska School Psychologists Association, Anchorage, AK.

Ortiz, S. O. (2015, September). *Failure to Respond or Failure to Educate? Considerations for SLD determination with English Learners*. Oregon Department of Education/Confederation of State Administrators Annual Conference, Eugene, OR.

Ortiz, S. O. (2015, September). *Assessment of English Language Learners for Specific Learning Disabilities: Language development, difference, and disorder*. Oregon Department of Education/Confederation of State Administrators Annual Conference, Eugene, OR.

Ortiz, S. O. (2015, September). *Square Pegs in Round Holes: A developmental framework for meeting the literacy needs of English Language Learners*. Oregon Department of Education/Confederation of State Administrators Annual Conference, Eugene, OR.

Ortiz, S. O. (2015, April). *Considerations for SLD Identification among English Language Learners*. NASP Webinar Series on Specific Learning Disability. National Association of School Psychologists.

Ortiz, S. O. (2015, April). *Assessment of English Language Learners: Evidence-based evaluation and best practice*. Portland Public Schools and ORFirst, Portland, OR.

Ortiz, S. O. (2015, February). *Current Best Practice in Assessment and Intervention with English Language Learners*. National Association of School Psychologists, Orlando, FL.

Ortiz, S. O. (2014, December). *Evidence-based Evaluation of English Language Learners: Bridging research and practice to promote equity in assessment*. New Jersey Association of School Psychologists, East Windsor, NJ.

Ortiz, S. O. (2014, November). *Evidence-based Evaluation of English Language Learners: Bridging research and practice to promote equity in assessment*. Arizona Association of School Psychologists, Phoenix, AZ.

Ortiz, S. O. (2014, October). *Difference vs. Disorder: Advanced use of the C-LIM to identify a Learning Disorder in CLD populations*. Oregon/Washington Bi-State School Psychologists Conference, Cheney, WA.

Ortiz, S. O. (2014, June). *English Learners and Assessment: A developmental framework for promoting equitable evaluation*. Confederation of Oregon School Administrators, Seaside, OR.

Ortiz, S. O. (2014, June). *English Learners and Academic Achievement: A developmental perspective on instructional change*. Keynote Address, Confederation of Oregon School Administrators, Seaside, OR.

Ortiz, S. O. (2014, March). *Instruction and Evaluation of English learners: A developmental perspective on academic achievement and test performance*. UC Berkeley School Psychology Conference, Berkeley, CA.

Ortiz, S. O. (2014, February). *Assessment of English Language Learners: Evidence-based evaluation and practice*. National Association of School Psychologists, Washington DC.

Ortiz, S. O. (2013, October). *Evaluation of Culturally and Linguistically Diverse Students: Best practice from theory to implementation*. Washington Association of School Psychologists, Spokane, WA.

Ortiz, S. O. (2013, October). *Cultivating Positive Assessments for Culturally and Linguistically Diverse Learners: A developmental framework for promoting fair and equitable evaluation*. Keynote Address for Council for Educational and Diagnostic Services, Weehawken, NJ.



- Ortiz, S. O. (2013, October). *English Language Learners and Common Concerns with Early Childhood and Evaluations: A developmental framework for equitable assessment*. Texas Association of School Psychologists, San Antonio, TX.
- Schmidt, A. (Chair), Ortiz, S. O. (Discussant), Camara, W., Puente, A. & Worrell, F. (2013, August). *Fairness in Testing: What is bias? Symposium*. American Psychological Association, Honolulu, HI.
- Ortiz, S. O. (2013, March). *Cultural Pioneering: An insider's view of when bilingualism and education collide*. Keynote Address at New York State Association for Bilingual Education, Melville, NY.
- Ortiz, S. O. (2013, February). *Essential Elements of PSW Procedures and Guidelines for Evidence-based Evaluation of English Language Learners*. Topical Public Policy Workshop by Feifer, S. G., Hanson, J. B., Jones, J. L., McCloskey, G., Ortiz, S. O., and Templeton, M. M. (2013), *Specific Learning Disabilities: Evaluation, Identification, and Eligibility Criteria: Establishing procedures and guidelines for evaluation of Specific Learning Disabilities*. Learning Disabilities Association of America, San Antonio, TX.
- Ortiz, S. O. (2013, February). *Assessment of English Language Learners: Evidence-based evaluation and practice—Advanced Level*. National Association of School Psychologists. Seattle, WA.
- Ortiz, S. O. (2013, February). *Assessment of English Language Learners: Evidence-based evaluation and practice—Intermediate Level*. National Association of School Psychologists. Seattle, WA.
- Flanagan, D. P. & Ortiz, S. O. (2013, February). *The Cross-Battery Assessment Approach: New Features that Enhance Measurement and Interpretation, SLD Identification, and Evaluation of Students from Diverse Backgrounds*. Statewide Evaluation Conference for Special Education Evaluation Personnel, Dallas, TX.
- Ortiz, S. O. (2012, November). *Assessment of Culturally and Linguistically Diverse Students: Evidence-based Evaluation and Practice*. British Columbia Association of School Psychologists, Vancouver, Canada.
- Ortiz, S. O. (2012, November). *Assessment of Culturally and Linguistically Diverse Students: Evidence-based Evaluation and Practice*. Ohio School Psychologists Association, Columbus, OH.
- Ortiz, S. O. (2012, October). *Evidence-based Evaluation of English Language Learners: Using the WJ III and Bateria III – A case study in bilingual evaluation*. California Association of School Psychologists. Irvine, CA.
- Ortiz, S. O. (2012, October). *Psycho-educational Assessment of Culturally and Linguistically Diverse Learners: Evidence-based evaluation and practice*. Manitoba Association of School Psychologists, Winnipeg, Canada.
- Ortiz, S. O. (2012, October). *Evidence-based Evaluation of English Language Learners Using the WJ III and Bateria III: Moving beyond the verbal-nonverbal dichotomy*. Texas Association of School Psychologists, Houston, TX.
- Ortiz, S. O. (2012, October). *Assessment of English Language Learners: Evidence-based evaluation and practice*. Indiana Association of School Psychologists., Indianapolis, IN.
- Ortiz, S. O. (Chair and Discussant)(2012, August). *Designing Cognitive Ability Tests for Use in Hiring and Promotional Systems*. Symposium sponsored by APA Committee on Psychological Tests and Assessment, Orlando, FL.
- Ortiz, S. O. (2012, August). *Understanding and Addressing Educational Disparities for English Language Learners: A developmental perspective*. Symposium on Psychology's Role in Reducing Educational Disparities by the APA Presidential Task Force on Educational Disparities, American Psychological Association, Orlando, FL.

- Ortiz, S. O. (2012, May). *Testing with Culturally and Linguistically Diverse Students: Moving beyond traditional habits to evidence-based practices*. University of Wisconsin—LaCrosse 34<sup>th</sup> Annual School Psychology Roundtable, LaCrosse, WI.
- Ortiz, S. O. (2012, April). *Evaluating Difference vs. Disorder in English Learners: Issues in cognitive and academic assessment in early childhood*. Young Child Expo & Conference, NY, NY.
- Ortiz, S. O. (2012, April). *Evidence-based Assessment and Intervention: Bridging research and practice in the education and evaluation of English language learners*. San Diego County Association of School Psychologists, San Diego, CA.
- Ortiz, S. O. (2012, February). *Assessment of English Language Learners: Evidence-based evaluation and practice—Advanced Level*. National Association of School Psychologists. Philadelphia, PA.
- Ortiz, S. O. (2012, February). *Assessment of English Language Learners: Evidence-based evaluation and practice—Intermediate Level*. National Association of School Psychologists. Philadelphia, PA.
- Ortiz, S. O. (2012, February). *Evidence-based Evaluation of English Learners Using the Culture-Language Interpretive Matrix: Moving beyond the verbal/nonverbal dichotomy*. Statewide Evaluation Conference for Special Education Evaluation Personnel, Dallas, TX.
- Ortiz, S. O. (2012, January). *Assessment of English Language Learners: Evidence-based Practice in Nondiscriminatory Evaluation*. Illinois School Psychology Association 33rd Annual State Convention, Itasca, IL.
- Ortiz, S. O. (2011, December). *Nondiscriminatory Evaluation of English Language Learners Within the Context of a Response-to-Intervention Framework*. Rhode Island Department of Education, Regional Education Laboratory NEI, and Rhode Island Technical Assistance Project, Providence, RI.
- Ortiz, S. O., (2011, October). *Bilingual Education: Current National and International Perspectives. Celebrating the Past, Honoring the Present, and Paving the Future*. New York State Association for Bilingual Education 35th Anniversary Celebration. New York, NY.
- Ortiz, S. O. (2011, October). *Evidence-based Evaluation of English Language Learners: Moving beyond the verbal/nonverbal dichotomy*. New York Association of School Psychologists, Syracuse, NY.
- Ortiz, S. O. (2011, October). *Evidence-based Practice in Nondiscriminatory Assessment: Use of the Culture-Language Test Classifications and Interpretive Matrix with Diverse Populations*. South Carolina Association of School Psychologists, Columbia, SC.
- Ortiz, S. O. (2011, October). *Evidence-based Instruction and Evaluation of English Language Learners: Developmental implications for instruction, intervention & assessment*. North Carolina School Psychology Association, Winston-Salem, NC.
- Ortiz, S. O. (2011, October). *Evidence-based Instruction and Evaluation of English Language Learners: Bridging research and practice to promote fairness and equity in assessment*. North Carolina School Psychology Association, Winston-Salem, NC.
- Ortiz, S. O. (2011, September). *Creating Effective Instructional Environments for Culturally and Linguistically Diverse Students: A developmental perspective on understanding the instructional needs of English Learners*. Regional Special Education and Technical Assistance Support Centers, Rochester, NY.
- Ortiz, S. O. (2011, August). *Understanding and Addressing Educational Disparities for English Language Learners: A developmental perspective*. Presentation for the APA Presidential Task Force on Educational Disparities, American Psychological Association, Washington DC.
- Ortiz, S. O. (2011, July). *Evidence-based Assessment and Intervention: Bridging Research and Practice*

*in the Education and Evaluation of English Language Learners*. School Neuropsychology Summer Institute 2011, Dallas, TX.

Ortiz, S. O. (2011, June). *Evidence-based Practice in Nondiscriminatory Assessment: Use of the Culture-Language Test Classifications and Interpretive Matrix with Diverse Populations*. Washington State Association of School Psychologists Spring Lecture Series 2011. Vancouver, WA.

Ortiz, S. O. (2011, March). *The Role of Bilingual Clinicians in Services and Collaboration for English Language Learners with Disabilities: Or, why being bilingual is more than just speaking two languages*. New York State Association for Bilingual Education, New York, NY.

Ortiz, S. O. (2011, February). *Assessment of English Language Learners: Evidence-based evaluation and practice—Advanced Level*. National Association of School Psychologists. San Francisco, CA.

Ortiz, S. O. (2011, February). *Assessment of English Language Learners: Evidence-based evaluation and practice—Intermediate Level*. National Association of School Psychologists. San Francisco, CA.

Juarez, B. & Ortiz, S. O. (2011, February). *The Outcome Scale for Cultural Competency (OSCC) in School Psychology*. Symposium on Multicultural Competency, National Association of School Psychologists. San Francisco, CA.

Ortiz, S. O. (2011, February). Identifying Learning Disabilities in English Language Learners: Understanding reasons why students struggle in the classroom via evaluation of data, assessments, and case studies. Policy Challenges Event co-sponsored by Regional Educational Laboratory—Northeast and Islands, Mid-Hudson BETAC, Lower Hudson BETAC, and Regional Special Education TACS., New Paltz, NY.

Ortiz, S. O. (2011, January). Cultural Competence and Nondiscriminatory Assessment: Bridging research and practice in the evaluation of English Language Learners. Minnesota School Psychologists Association, Bloomington, MN.

Ortiz, S. O. (2010, November). *Evidence-based Practice in the Instruction and Evaluation of English Language Learners: A guide to integrating data from RTI and cognitive assessment*. Florida Association of School Psychologists, Miami, FL.

Ortiz, S. O. (2010, October). *Evidence-based Nondiscriminatory Assessment: Bridging research and practice in the evaluation of English Language Learners*. Riverside Association of School Psychologists, Riverside, CA.

Ortiz, S. O. (2010, October). *Evidence-based Practice in the Evaluation of English Language Learners: A guide to conducting defensible and nondiscriminatory assessment*. Arkansas School Psychology Association, Little Rock, AK.

Juarez, B. M. & Ortiz, S. O. (2010, March). *Definitions of Cultural Competence: Implications for School Psychology Training*. National Association of School Psychologists, Chicago, IL.

Flanagan, D. P., Alfonso, V. C. & Ortiz, S. O. (2010, March). *Assessment of Culturally and Linguistically Diverse Students: Introduction to the Culture-Language Test Classifications and Culture-Language Interpretive Matrix*. National Association of School Psychologists, Chicago, IL.

Hale, J. B., Flanagan, D. P., Pugh, K., Mazzocco, M., Ortiz, S. O., Simon, J. & Silver, L. (2010, February). *Diversity Issues and SLD*. Symposium: Best Practices in SLD Identification and Service Delivery. Learning Disabilities Association of America Summit on Specific Learning Disabilities Evaluation, Identification and Service Delivery, Baltimore, MD.

Ortiz, S. O. (2009, November). *Assessment of Culturally and Linguistically Diverse Students: A systematic, practical approach to nondiscriminatory evaluation*. British Columbia Association of School Psychologists. Vancouver, Canada.

- Ortiz, S. O. (2009, October). *Understanding and Evaluating English Learners, Part II: Advanced methods and procedures in nondiscriminatory cognitive assessment. School-based Assessment for the 21st Century: Culturally sensitive practice*. Georgian Court University, Lakewood, NJ.
- Ortiz, S. O. (2009, October). *Understanding and Evaluating English Learners, Part I: Foundations in cognitive, linguistic, and academic development. School-based Assessment for the 21st Century: Culturally sensitive practice*. Georgian Court University, Lakewood, NJ.
- Ortiz, S. O. (2009, October). *The Bilingual Odyssey: Am I monolingual yet? Keynote address, School-based Assessment for the 21st Century: Culturally sensitive practice*. Georgian Court University, Lakewood, NJ.
- McCaffrey, R. J., Andberg, M. M., Braden, J. P., Kubiszyn, T., & Ortiz, S. O. (2009, August). *Recent Developments Affecting the Disclosure of Test Data and Materials: Comments regarding the 1996 Statement on the Disclosure of Test Data*. Committee on Psychological Tests and Assessment, American Psychological Association, Toronto, Canada.
- Ortiz, S. O. (2009, March). *Equitable Assessment of English Language Learners*. Temple University School Psychology Conference: Recent Advances in Assessment and Intervention, Philadelphia, PA.
- Ortiz, S. O. (2009, March). *The English Language Learning Odyssey: Am I monolingual yet? Keynote Address*, Temple University School Psychology Conference: Recent Advances in Assessment and Intervention, Philadelphia, PA.
- Ortiz, S. O. (2009, February). *Nondiscriminatory Assessment of Diverse Students: Making a difference in fairness*. National Association of School Psychologists, Boston, MA.
- Ortiz, S. O. (2009, February). *Cross-battery Assessment with Culturally and Linguistically Diverse Individuals: Use of the Culture-Language Test Classifications and Interpretive Matrix*. Texas Statewide Education Program Annual Conference, Houston, TX.
- Ortiz, S. O. (2008, November). *The Bilingual Odyssey: Am I monolingual yet? Keynote Address-afternoon*, Learning Disability Association of Kansas, Kansas City, KS.
- Ortiz, S. O. (2008, November). *Assessment of Diverse Individuals: Evaluating language difference from learning disability*. Learning Disability Association of Kansas, Kansas City, KS.
- Ortiz, S. O. (2008, November). *Learning Disadvantages and Disabilities: When do English learners catch up? Keynote Address-morning*, Learning Disability Association of Kansas, Kansas City, KS.
- Ortiz, S. O. (2008, July). *Using the Cross-Battery Approach to Assess Diverse Individuals*. 3<sup>rd</sup> National School Neuropsychology Conference. Dallas, TX.
- Ortiz, S. O. (2008, May). *Nondiscriminatory Assessment of Culturally and Linguistically Diverse Youth—Part II*, Philadelphia School Psychologist's Conference, The School District of Philadelphia, Philadelphia, PA.
- Ortiz, S. O. (2008, May). *Overview of Nondiscriminatory Assessment of Culturally and Linguistically Diverse Youth—Part I*, Philadelphia School Psychologist's Conference, The School District of Philadelphia, Philadelphia, PA.
- Ortiz, S. O. (2008, April). *Assessment and Evaluation of Culturally and Linguistically Diverse Students: A systematic, practical approach for equitable evaluation*. Orange County Association of School Psychologists & Santa Ana Unified School District, Santa Ana, CA.
- Ortiz, S. O. (2008, April). *The ELL Odyssey: Am I a monolingual yet? Keynote Address*, California Subject Matter Project, 18<sup>th</sup> Annual ELD Institute, San Diego, CA.
- Ortiz, S. O. (2008, April). *Integrating Cognitive Assessment and RTI in the Evaluation of English*



- Language Learners*. California Subject Matter Project, 18<sup>th</sup> Annual ELD Institute, San Diego, CA.
- Ortiz, S. O. (2008, March). *Best Practices in Learning Disability and Nondiscriminatory Assessment: Use of the K-ABC-II and Academic Ability Tests with Culturally and Linguistically Diverse Students*. Connecticut Association of School Psychologists, Hartford, CT.
- Ortiz, S. O., Dynda, M. A. & Sotelo-Dynega, M. (2008, March). *Language Proficiency, Intelligence, and School Achievement: When do ELLs really 'catch up?'* New York Association for Bilingual Education, Melville, NY.
- Brown, B. T. & Ortiz, S. O. (2008, February). *Spanish Adaptation of the Conners Assessment System*. National Association of School Psychologists, New Orleans, LA.
- Alfonso, V. C., Flanagan, D. P., Dynda, A. M., & Ortiz, S. O. (2008, February). *A Research-based Consensus Definition of SLD: Integrating multiple data sources*. National Association of School Psychologists, New Orleans, LA.
- Dynda, A. M., Flanagan, D. P., & Ortiz, S. O. (2008, February). *The Relation Between English Language Proficiency and IQ Test Performance*. National Association of School Psychologists, New Orleans, LA.
- Sotelo-Dynega, M., Ortiz, S. O., Flanagan, D. P. & Chaplin, W. (2008, February). *English Language Proficiency and Performance on Tests of Cognitive Abilities*. National Association of School Psychologists, New Orleans, LA.
- Verderosa Aguerra, F., Terjesen, M., Flanagan, D. P. & Ortiz, S. O. (2008, February). *Effects of Language and Culture on Bilingual Preschoolers' Performance*. National Association of School Psychologists, New Orleans, LA.
- Ortiz, S. O. (2008, February). *Incorporating Culturally and Linguistically Diverse (CLD) Evaluations into Cross-Battery Assessment*. 11<sup>th</sup> Annual Statewide Education Conference, Houston, TX.
- Ortiz, S. O. (2007, November). *Nondiscriminatory Assessment of Diverse Students: Providing fair and equitable evaluations*. St. John's University Conference on Contemporary Issues in the Practice of School Psychology. Oakdale, NY.
- Fletcher-Janzen, E. & Ortiz, S. O. (2007, October). *Culturally Competent RTI*. Florida Association of School Psychologists. Miami, FL.
- Ortiz, S. O. (2007, October). *Nondiscriminatory Assessment of Culturally and Linguistically Diverse Students: A systematic, practical approach for equitable evaluation*. Conference sponsored by Our Lady of the Lake University and the Texas Organization of Multicultural Multilingual Audiologists and Speech-language Specialists (TOMMAS). San Antonio, TX.
- Ortiz, S. O. (2007, August). *Cognitive Assessment and RTI with Culturally and Linguistically Diverse Students: An integrative approach for reducing inappropriate referrals and discriminatory evaluations*. San Diego Chapter of the California Association of School Psychologists and San Diego City Schools. San Diego, CA.
- Ortiz, S. O. (2007, July). *Nondiscriminatory Assessment Techniques in Speech-Language Evaluation: Use of the Culture-Language Test Classifications and Interpretive Matrix*. Bilingual Therapies Annual Conference, Cancun, Mexico.
- Ortiz, S. O. (2007, May). *Assessment of English Language Learners: A systematic, practical approach for nondiscriminatory evaluation*. Delaware Association of School Psychologists. Dover, DE.
- Ortiz, S. O. (2007, April). *Parallel Processes in the Development of English Language Learners: Understanding linguistic, cognitive, and academic factors*. 1<sup>st</sup> Annual Lower Hudson Valley Dual-Language Conference, Marymount College of Fordham University, Tarrytown, NY.

- Ortiz, S. O., Flanagan, D. P., Dynda, A. M. & Alfonso, V.C. (2007, March). *Nondiscriminatory Assessment: The fourth "R" in evaluation*. National Association of School Psychologists, New York, NY.
- Dynda, A. M., Flanagan, D. P., Alfonso, V. C., & Ortiz, S. O. (2007, March). *Avoiding the Tower of Babel: Responding to RTI Versus Testing*. National Association of School Psychologists, New York, NY.
- Flanagan, D. P., Alfonso, V. C., Ortiz, S. O., & Dynda, A. M. (2007, March). *RTI and Testing: Responding with an Operational Definition of LD*. National Association of School Psychologists, New York, NY.
- Dynda, A. M., Ortiz, S. O. & Flanagan, D.P. (2007, March). *The Relationship Between English Language Proficiency and IQ Test Performance*. National Association of School Psychologists, New York, NY.
- Braden, J., Kubiszyn, T. & Ortiz, S.O. (2007, March). *Response-to-Intervention and Assessment Standards: Ensuring a reliable, valid, and fair process*. National Association of School Psychologists, New York, NY.
- Ortiz, S.O. (2007, March). *Distinguishing Cultural and Linguistic Difference from SLD: Addressing issues of fairness and equity in Rtl and testing*. Symposium at Yale University on Response-to-Intervention, Intelligent Testing, and Specific Learning Disabilities Assessment.
- Ortiz, S. O. (2007, March). *Culturally Competent Rtl: What every psychologist needs to know*. California Association of School Psychologists, Los Angeles, CA.
- Flanagan, D. P. & Ortiz, S. O. (2007, March). *Integration of Rtl and Testing: Contemporary evaluation of SLD in culturally and linguistically diverse students*. California Association of School Psychologists, Los Angeles, CA.
- Ortiz, S. O. (2007, February). *English Language Learners/Development and Learning Disabilities: Understanding linguistic and cultural acquisition, three-tiered research-based interventions, and eligibility for special education*. Oregon School Psychology Association/Oregon Branch of the International Dyslexic Association. Portland, OR.
- Ortiz, S. O. (2006, November). *Nondiscriminatory Assessment: Achieving equity in cognitive, academic, and linguistic evaluation of diverse individuals*. Conference on: "New Developments for Multicultural School Psychology Practice," Adelphi University, New York, NY.
- Ortiz, S. O. & Fletcher-Janzen, E. (2006, November). *Culturally Competent RTI*. Alabama Association of School Psychologists, Perdido Beach, AL.
- Ortiz, S. O. (2006, October). *Responding to Diversity in the Schools: Maybe if we refuse to educate their kids they'll go away*. Keynote Address, Georgia Association of School Psychologists, Savannah, GA.
- Braden, J. (Chair), Ortiz, S. O. & Stoner, G. (2006, September). *Assessing Student Growth to Foster School Excellence*. Education Leadership Conference, Washington DC.
- Kubiszyn, T. (Chair), Braden, J., Ortiz, S.O. & Reschley, D. (discussant) (2006, August). *Response to intervention (RTI) implementation considerations- reliability, validity, and fairness*. American Psychological Association, New Orleans, LA.
- Flanagan, D.P & Ortiz, S.O. (2006, March). *Best Practices in LD and Nondiscriminatory Assessment: Use of the KABC-II and Cognitive Ability Tests with Culturally and Linguistically Diverse Students*. National Association of School Psychologists, Anaheim, CA.
- Braden, J., Kubiszyn, T. & Ortiz, S.O. (2006, March). *Response-to-Intervention and Assessment Standards: Ensuring a reliable, valid, and fair process*. National Association of School Psychologists, Anaheim, CA.

- Braden, J. (Chair), Kubiszyn, T., Ortiz, S.O. & Reschley, D. (discussant) (2006, March). *Preventing "Response-to-Intervention" failure: Ensuring Methods Meet Assessment Standards*. National Association of School Psychologists, Anaheim, CA.
- Ysseldyke, J., Burns, M., Dawson, P., Kelly, B., Morrison, D., Ortiz, S., Rosenfeld, S. & Telzrow, C. (2006, March). *Blueprint III—The Training and Practice of School Psychologists*. National Association of School Psychologists, Anaheim, CA.
- Ochoa, S.H. & Ortiz, S.O. (2006, February). *Critical Issues and factors to consider when assessing ELL referrals*. Statewide Evaluation Network Conference, Corpus Christi, TX.
- Ortiz, S. O. (2006, January). *The Culture-Language Test Classifications and Interpretive Matrix: Systematic, nondiscriminatory assessment of culturally and linguistically diverse students*. Psychologists-In-Training (PIT) Program, New York City Department of Education, Jamaica, Queens, NY.
- Ortiz, S. O. (2005, December). *Multiculturalism and Test Takers with Disabilities: Sorting out documentation and accommodation issues*. Testing Agencies Disability Forum, Philadelphia, PA.
- Ortiz, S. O. (2005, November). *Culturally Competent School Psychology Practice: What every school psychologist needs to know*. New York Association of School Psychologists, White Plains, NY.
- Ortiz, S. O. & Ochoa, H. S. (2005, November). *Nondiscriminatory Assessment of Culturally and Linguistically Diverse Students: A systematic, practical approach for equitable evaluation*. Florida Association of School Psychologists, Hollywood, FL.
- Fletcher-Janzen, E. & Ortiz, S. O. (2005, August). *Cultural Competence in the Use of IQ Tests with Culturally and Linguistically Diverse Children*. American Psychological Association Annual Conference, Washington DC.
- Ortiz, S. O. (2005, July). *Nondiscriminatory Assessment of Culturally and Linguistically Diverse Students: A systematic, practical approach for equitable evaluation*. National Association of School Psychologists, Regional Conference, Philadelphia, PA.
- Ortiz, S. O. (2005, April). *Cultural Pioneers: Generational patterns on the academic frontier*. Panel presentation at the 2nd Conference on Educational, Legal, and Health Care Needs of the Latino Community in New York City. St. John's University, Queens, NY.
- Ortiz, S. O. (2005, March). *Issues in the Application of RTI Methods with Culturally and Linguistically Diverse Children*. Panel presentation at the annual meeting of Trainers in School Psychology. National Association of School Psychologists, Atlanta, GA.
- Ortiz, S. O. (2005, January). "You learned English so why can't everyone else?" Keynote Address, Minnesota School Psychology Association. Bloomington, MN.
- Ortiz, S. O. (2005, January). *Comprehensive Assessment of Culturally and Linguistically Diverse Students: A systematic, practical approach for nondiscriminatory assessment*. Minnesota School Psychology Association, Bloomington, MN.
- Ortiz, S. O. (2004, December). "You made it, so why can't everyone else?" Keynote address at the Putting the Pieces Together: Northwest Conference on ESL/SPED Interface. Lewis & Clark College, Portland, OR.
- Ortiz, S. O. (2004, December). *Use of the Culture-Language Test Classifications and Interpretive Matrix: A framework for nondiscriminatory assessment*. Putting the Pieces Together: Northwest Conference on ESL/SPED Interface. Lewis & Clark College, Portland, OR.
- Ortiz, S. O. (2004, September). *Comprehensive Assessment of Culturally and Linguistically Diverse Students: A systematic, practical approach for nondiscriminatory assessment*. North Carolina School

Psychology Association, Wilmington, NC.

Ortiz, S. O. (2004, July). *Education follows Maturation: Developmental, cognitive, and linguistic influences in the instruction and evaluation of English Language learners*. Bilingual Therapies Conference, Las Vegas, NV.

Ortiz, S. O. (2004, May). *Nondiscriminatory Cross-cultural Assessment: A developmental psycholinguistic approach neuropsychological practice*. New York Neuropsychological Group, New York, NY.

Ochoa, S. H. & Ortiz, S. O. (2004, April). *Psychoeducational Assessment of Children from Culturally and Linguistically Diverse Backgrounds*. National Association of School Psychologists, Dallas, Texas.

Ortiz, S. O. & Ochoa, S. H. (2004, April). *Comprehensive Assessment and Nondiscriminatory Evaluation of Diverse Learners*. National Association of School Psychologists, Dallas, Texas.

Flanagan, D. P. & Ortiz, S. O. (2004, April). *CHC Cross-Battery and Learning Disability Assessment: Theoretical and research-based approaches for the "post severe discrepancy" age*. National Association of School Psychologists, Dallas, TX.

Ortiz, S. O. (2004, March). *Assessment of Culturally and Linguistically Diverse Children: A systematic, comprehensive framework for nondiscriminatory assessment*. Psychologists-In-Training (PIT) Program, New York City Department of Education, Jamaica, Queens, NY.

Ortiz, S. O. (2003, November). *A Case for Primary Language Instruction: Do English learners really "catch up?"* NYC Department of Education, Region 3--English Language Learners and Foreign Language Programs Winter Conference. Jamaica, NY.

Ortiz, S. O. (2003, May). *Lies, Damn Lies, and Statistics: What They Didn't Tell You About Making Sense of Educational Data*. Keynote address at the New York State Association for Bilingual Education, Regional Conference, Dobbs Ferry, NY.

Ortiz, S. O. (2003, May). *Comprehensive Assessment of Diverse Individuals: A systematic, practical approach to nondiscriminatory assessment*. New Jersey Association of School Psychologists, East Windsor, NJ.

Ortiz, S. O. (2003, April). *Enhancing Outcomes for All Children: Comprehensive assessment and nondiscriminatory evaluation of Culturally and Linguistically Diverse Children*. National Association of School Psychologists, Washington DC.

Ortiz, S. O. (2003, April). *Assessment of Culturally and Linguistically Diverse Children: A systematic, comprehensive framework for nondiscriminatory assessment*. Psychologists-In-Training (PIT) Program, New York City Department of Education, Jamaica, Queens, NY.

Ortiz, S. O. (2003, March). *Education follows Maturation: Developmental, cognitive, and linguistic influences in the instruction and evaluation of English Language learners*. New York State Association for Bilingual Education, Tarrytown, NY.

Ortiz, S. O. (2003, March). *Comprehensive Assessment of Diverse Individuals: A systematic, practical approach to nondiscriminatory assessment*. Association of School Psychologists of Pennsylvania, Harrisburg, PA.

Ortiz, S. O. (2003, March). *Education follows Maturation: Developmental, cognitive, and linguistic influences in the instruction and evaluation of English Language learners*. University of Texas Speech-Language Research Symposium, Austin, TX.

Ortiz, S. O. (2002, December). *New Directions in Diagnosing Learning Disability: Modern theoretical and research-based definitions and procedures*. New Jersey Association of School Psychologists, East Windsor, NJ.



- Ortiz, S. O. (2002, August). Baseball, Apple Pie, and IQ tests: Issues in defining and measuring intelligence. Panel presentation at the symposium, *Developing Cross-Cultural Assessment Measures—Implications for International Research and Practice*. American Psychological Association, Chicago, IL.
- Ortiz, S. O. (2002, June). *Language Dominance and its Impact on Linguistic, Academic, and Psychological Development*. Keynote address at the New York State Association for Bilingual Education, Regional Conference. Hempstead, NY.
- Ortiz, S. O. (2002, March). *Contemporary Assessment of Learning Disability: Theoretical and empirical advances in evaluation and identification*. South Carolina Association of School Psychologists. Charleston, SC.
- Ortiz, S. O. (2002, February). *Assessment of Culturally and Linguistically Diverse Children: A systematic, comprehensive framework for nondiscriminatory assessment*. National Association of School Psychologists, Chicago, IL.
- Ortiz, S. O. (2002, February). *The Case for English Only Instruction: Do English learners really catch up?* Keynote Address, New York State Association for Bilingual Education, Regional Conference on Literacy. Manhattanville, NY.
- Ortiz, S. O. (2001, November). *Comprehensive Assessment of Diverse Individuals: A systematic, practical approach to nondiscriminatory assessment*. New York Association of School Psychologists, White Plains, NY.
- Ortiz, S. O. (2001, November). *Comprehensive Assessment of Diverse Individuals: A systematic, practical approach to nondiscriminatory assessment*. Massachusetts Association of School Psychologists, Boston, MA.
- Ortiz, S. O. (2001, April). *Assessment of Culturally and Linguistically Diverse Children: A systematic, comprehensive framework for nondiscriminatory assessment*. National Association of School Psychologists, Washington DC.
- Pang, S., Wilkes, B., & Ortiz, S. O. (2001, April). *Linguistic Issues in Assessment: A Chinese, Ebonics, and Spanish perspective*. National Association of School Psychologists, Washington DC.
- Ortiz, S. O. (2001, March). *Multicultural Assessment: Best practices and procedures*. McComb/St. Clair Psychological Association and Oakland Schools. Detroit, MI.
- Ortiz, S. O. (2001, February). *A humanistic view of bilingual education: How I became the poster child for bilingual education*. Keynote address at the Annual Conference of New York State Association for Bilingual Education. Westchester, NY.
- Ortiz, S. O. (1999, April). *Assessment of Culturally and Linguistically Diverse Children: A blueprint for success*. National Association of School Psychologists, Las Vegas, NV.
- Flanagan, D. P., Gerner, M., & Ortiz, S. O. (1999, April). *A contemporary approach to interpreting the Wechsler Scales: A reading disability case study and application to multicultural populations*. National Association of School Psychologists, Las Vegas, NV.
- Ortiz, S. O. (1999, March). *Assessment of Diverse Children: A comprehensive framework for compliance*. California Association of School Psychologists, Pasadena, CA.
- Ortiz, S. O. & Esparza Brown, J. (1999, February). *From General Education to Special Education: Systematic Guidelines for Compliance in Serving English Learners*. California Association for Bilingual Education, Los Angeles, CA.
- Ortiz, S. O. (1999, January). *Cambios en las leyes de educación especial: Ley pública 105-17 "IDEA '97."* Keynote address given at 3rd Annual Fiesta Educativa Conference, San Diego/Imperial

Counties, San Diego Office of Education, San Diego, CA.

Ortiz, S. O., Esparza Brown, J. & Schmidt, S. (1999, January). *From General Education to Special Education: Guidelines for Compliance in Serving Culturally and Linguistically Diverse Children*. National Association for Bilingual Education, Denver, CO.

Ortiz, S. O. (1998, November). *Comprehensive Assessment of Culturally and Linguistically Diverse Children: A Systematic, Practical Approach to Nondiscriminatory Assessment*. Arizona Association of School Psychologists, Mesa, AZ.

Ortiz, S. O. & Valles, G. (1998, November). *Implementing an Effective Pre-Referral Process for Diverse Children*. Cross-cultural Special Education Conference, San Diego, CA.

Ortiz, S. O. (1998, November). *Alternative Assessment of Culturally and Linguistically Diverse Children*. Cross-cultural Special Education Conference, San Diego, CA.

Ortiz, S. O. (1998, May). *Evaluación bilingüe competente: Haciendolo bien, haciendolo mal, y como saber la diferencia (Competent bilingual assessment: Doing it right, doing it wrong, and how to tell the difference)*. Fiesta Educativa, University of Southern California, Los Angeles, CA.

Ortiz, S. O. (1998, April). *La educación especial en los Estados Unidos: Avances en la integración educativa (Special education in the United States: Advances in mainstreaming and integration)*. Annual Bi-National Education Conference, Calexico, CA.

Ortiz, S. O. (1998, April). *Selective Gf-Gc Cross-Battery Assessment: Addressing the needs of culturally and linguistically diverse populations*. National Association of School Psychologists, Orlando, FL.

Ortiz, S. O., Adrianzen, I., Aganza, J., Iruegas, M., & Peña, L (1998, February). *Competent Bilingual Assessment: Issues in definitions, qualifications, and practices*. National Association for Bilingual Education, Dallas, TX.

Ortiz, S. O., Schmidt, S. & Esparza Brown, J. (1998, February). *Developing Culturally and Linguistically Appropriate Goals and Objectives: Issues in the education of Latino exceptional children*. California Association for Bilingual Education, San Jose, CA.

Ortiz, S. O. (1997, December). *Assessment of Diverse Children: Compliance issues and best practices*. California Department of Education, Workability I Conference, San Diego, CA.

Ortiz, S. O. & Ortiz, O. G. (1997, November). *Apoyando sus niños: estrategias é ideas para ampliar el éxito de sus hijos en el aprovechamiento emocional, social, y educativo (Supporting your children: strategies and ideas for increasing the emotional, social, and academic achievement of your children)*. Keynote Address given at the annual Parent Involvement Conference, San Diego City Schools, San Diego, CA.

Ortiz, S. O. (1997, November). *Dynamic assessment-for-intervention: Practical and legal issues in special education compliance*. Los Angeles County Department of Education, Conference for School Psychologists by School Psychologists, Long Beach, CA.

Ortiz, S. O. (1997, October). *Bilingual, cross-cultural, nondiscriminatory assessment: Issues, answers, and guidelines*. Cross-cultural Special Education Conference, San Diego, CA.

Ortiz, S. O. (1997, October). *Bilingual special education: Guidelines for compliance in developing culturally and linguistically appropriate goals and objectives*. Cross-cultural Special Education Conference, San Diego, CA.

- Ortiz, S. O. & Valles, G. (1997, October). *Bilingual Special Education: Writing culturally and linguistically appropriate goals and objectives*. Cross-cultural Special Education Conference, San Diego, CA.
- Ortiz, S. O. (1997, April). *Online Culture and Language Learning: Working well with diversity through technology*. National Association of School Psychologists and California Association of School Psychologists Joint Conference, Anaheim, CA.
- Sapien-Melchor, R., Ortiz, S. O., Bray, R., Esgate, M., Johnson, R., & Loveman, S. (1997, February). *Bilingual General and Special Education: Models that work!* California Association for Bilingual Education, San Diego, CA
- Ortiz, S. O. (1996, November). *Bilingual special education: Guidelines for the development of culturally and linguistically appropriate IEP goals and objectives*. Cross-Cultural Special Education Conference, San Diego, CA.
- Ortiz, S. O., Valles, G., Brown-Esparza, J., & Schmidt, S. (1996, November). *Bilingual special education: Issues in assessment, service delivery and instruction*. Cross-Cultural Special Education Conference, San Diego, CA.
- Ortiz, S. O. & Ortiz, O. G. (1996, October). *Dynamic Assessment for Intervention: Bridging results with special education instruction and the development of culturally and linguistically appropriate goals and objectives*. California Association for Mediated Learning, San Diego, CA.
- Ortiz, S. O. (1996, September). *Pre-referral processes, interventions, and strategies for culturally and linguistically diverse children*. Second Language Acquisition Conference, Vista, CA.
- Ortiz, S. O. (1996, March). *Navigating Legal Waters, Parts I and II: Procedures in assessment, reassessment, and cultural-linguistic considerations*. California Association of School Psychologists, San Diego, CA.
- Ortiz, S. O. & Esparza Brown, J. (1996, March). *Bridging the Results of Dynamic Assessment with Instruction and the Development of Culturally and Linguistically Appropriate Goals and Objectives*. California Association of School Psychologists, San Diego, CA.
- Ortiz, S. O. (1996, February). *Alternative Assessment of Culturally and Linguistically Diverse Children: Legal mandates, practical approaches, and effective techniques*. Los Angeles County Department of Education, Conference for School Psychologists by School Psychologists, Burbank, CA.
- Ortiz, S. O. & Esparza Brown, J. (1996, February). *Categorical and Inclusive Education: Bridging instructional approaches for culturally and linguistically diverse exceptional students*. Council for Exceptional Children, Ontario, CA.
- Ortiz, S. O. & Ortiz, O. G. (1996, January). *El proceso de la educación especial: Como afecta al estudiante Hispano parlante*. California Association for Bilingual Education, San Jose, CA.
- Ortiz, S. O. & Esparza Brown, J. (1996, January). *Categorical and Inclusive Education: Bridging instructional approaches for culturally and linguistically diverse exceptional students*. California Association for Bilingual Education, San Jose, CA.
- Ortiz, S. O. & Esparza Brown, J. (1995, November). *Bridging Assessment and Intervention: Developing culturally and linguistically appropriate goals and objectives for LEP students*. Cross-Cultural Special Education Conference, San Diego, CA.
- Ortiz, S. O. (1995, November). *Pre-referral processes, interventions, and strategies for culturally and linguistically diverse children*. Cross-Cultural Special Education Conference, San Diego, CA.
- Ortiz, S. O. (1995, October). *The use of Dynamic Assessment and the Primary Sources Inventory in the*

*Diagnosis of Learning Disabilities.* Learning Disabilities Association of California, Burbank, CA.

Ortiz, S. O. & Ortiz, O. G. (1995, October). *Dynamic Assessment for Intervention: Bridging results with special education instruction and the development of culturally and linguistically appropriate goals and objectives* California Association for Mediated Learning, Monterey, CA.

Ortiz, S. O. (1995, March). *The Child in Context: Ecological foundations and best practices in the assessment of culturally and linguistically diverse children.* California Association of School Psychologists, San Francisco, CA.

Ortiz, S. O. (1995, March). *Myth and Misconception: Stepping out of the dark ages in the assessment of intelligence and cognitive abilities.* California Association of School Psychologists, San Francisco, CA.

Ortiz, S. O., Blocker, P. & Esparza-Brown, J. (1995, March). *Bilingual Special Education Services Delivery in an Inclusive Model: Successes and failures in keeping pace with the strategic plan.* California Association of School Psychologists, San Francisco, CA.

Ortiz, S. O. & Daly, A. J. (1995, March). *The Information Superhighway: Tomorrow's resources for today's school psychologists.* California Association of School Psychologists, San Francisco, CA.

Cook-Morales, V. J., Robinson-Zafartu, C. A. & Ortiz, S. (1995, August). *Systemic change toward educational equity in professional psychology programs.* American Psychological Association, Los Angeles, CA.

Ortiz, S. O. & Hines, V. (1994, March). *On Hallowed Ground: Demystifying and critically evaluating the sanctity and validity of the diagnosis of Attention Deficit and Attention Deficit Hyperactivity Disorder.* California Association of School Psychologists, Long Beach, CA.

Ortiz, S. O., Alvarez, A. & Rojas, E. (1994, March). *Beyond Evaluation: Bilingual-bicultural school psychologists as leaders for change.* National Association of School Psychologists, Seattle, WA.

Ortiz, S. O., Alvarez, A. & Rojas, E. (1994, March). *True Bilingual-Bicultural Competency in School Psychology: Increasing educational achievement through better definition, collaboration, and utilization.* California Association of School Psychologists, Long Beach, CA.

Ortiz, S. O., Ortiz, O. G. & Cook-Morales, V. J. (1994, March). *Preliminary Analysis: Survey of California school psychologists listed in CASP's Multi-Lingual Directory.* CASP Multicultural Affairs Committee Meeting, California Association of School Psychologists, Long Beach, CA.

Ortiz, O. G., Ortiz, S. O. (1994, March). *El proceso de la educación especial: Como afecta al estudiante de la educación migrante.* California Department of Education, Migrant Education Parent Conference, Garden Grove, CA.

Margolin, G., Fernandez, V., Gorin, L., & Ortiz, S. O. (1982). *The Conflict Inventory: A new measure for the assessment of marital conflict.* Proceedings from the American Association of Behavior Therapy, Los Angeles, CA.

## INVITED PRESENTATIONS AND WORKSHOPS

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Ortiz, S. O. (2019, May). *Foundations for Effective Instruction for Multilingual Learners: A developmental perspective.* New York City Department of Education, Queens, NY.

Ortiz, S. O. (2019, May). *Foundations for Effective Instruction for Multilingual Learners: A developmental perspective.* New York City Department of Education, Manhattan, NY.



- Ortiz, S. O. (2019, May). *Foundations for Effective Instruction for Multilingual Learners: A developmental perspective*. New York City Department of Education, Staten Island, NY.
- Ortiz, S. O. (2019, May). *Foundations for Effective Instruction for Multilingual Learners: A developmental perspective*. New York City Department of Education, Bronx, NY.
- Ortiz, S. O. (2019, May). *Language Difference vs. Learning Disorder: A developmental perspective on disentangling SLD in English Learners*. Educational Testing Service, Princeton, NJ.
- Ortiz, S. O. (2019, April). *Square Pegs in Round Holes: Educating and Evaluating English learners—Bilinguals are not two monolinguals in one head*. Greenwich Public Schools, Greenwich, CT.
- Ortiz, S. O. (2019, April). *Culturally and Linguistically Appropriate Instruction and Intervention: A developmental perspective on pre-referral issues, educational expectations, and true peer group comparison*. Mineola Public Schools, Mineola, NY.
- Ortiz, S. O. (2019, April). *Evidence-Based Assessment of English Learners: A contemporary approach to testing for all practitioners*. Kiryas Joel School District, Monroe, NY.
- Ortiz, S. O. (2019, March). *Evidence-based Evaluation of SLD with English Learners: Contemporary evaluation via X-BASS, C-LIM, and the Ortiz PVAT*. Elk Grove Unified School District, Elk Grove, CA.
- Ortiz, S. O. (2019, March). *Evidence-based Evaluation of English Learners: A contemporary approach to fairness in Disability Determinations*. Education Service Center Region 13, Austin, TX.
- Ortiz, S. O. (2019, February). *Evidence-Based Assessment of English Learners: New directions in fairness in evaluation of English speakers and English learners*. San Francisco Unified School District, San Francisco, CA.
- Ortiz, S. O. (2019, February). *Contemporary Evaluation of SLD: Application of Cross-Battery Assessment (XBA) and X-BASS software*. Mineola Public Schools, Mineola, NY.
- Ortiz, S. O. (2019, January). *Evaluation of English Learners and Applications of the Ortiz PVAT: A new direction in fairness in assessment of English speakers and English learners*. Cartwright Elementary School District, Phoenix, AZ.
- Ortiz, S. O. (2019, January). *Day 2 – Development, Use, and Pre- and Post-referral Applications of the Ortiz PVAT: A new direction in fairness in evaluation of English speakers and English learners*. Beaverton School District, Beaverton, OR.
- Ortiz, S. O. (2019, January). *Day 1 - Square Pegs in Round Holes: Educating and Evaluating English learners—Bilinguals are not two monolinguals in one head*. Beaverton School District, Beaverton, OR.
- Ortiz, S. O. (2019, January). *Culturally and Linguistically Appropriate Instruction and intervention: A developmental perspective on pre-referral issues, educational expectations, and true peer group comparison-Part 2*. Mineola Public Schools, Mineola, NY.
- Ortiz, S. O. (2019, January). *Evidence-based Evaluation of English Learners: A contemporary approach to fairness in Disability Determinations*. Broward County Public Schools, Ft. Lauderdale, FL.
- Ortiz, S. O. (2018, December). *Culturally and Linguistically Appropriate Instruction and intervention: A developmental perspective on pre-referral issues, educational expectations, and true peer group comparison-Part 1*. Mineola Public Schools, Mineola, NY.
- Ortiz, S. O. (2018, December). *Evidence-based Assessments of English Language Learners: A contemporary approach to testing for all practitioners*. Cognitive Health Solutions, LLC and Lincoln Intermediate Unit No. 12, Hanover, PA.

- Ortiz, S. O. (2018, November). *Nondiscriminatory Evaluation of SLD with English Learners: Advanced Case Study Application via C-LIM and X-BASS*. North Coastal Consortium for Special Education, San Marcos, CA.
- Ortiz, S. O. (2018, November). *Contemporary Evaluation of SLD: Application of Cross-Battery Assessment (XBA) and X-BASS software*. North Coastal Consortium for Special Education, San Marcos, CA.
- Ortiz, S. O. (2018, November). *Using X-BASS for SLD Identification with English Learners*. Education Service Center Region 1, Edinburgh, TX.
- Ortiz, S. O. (2018, November). *Evidence-based Evaluation of English Learners: A contemporary approach to testing – A preview*. New York City Department of Education, New York, NY.
- Ortiz, S. O. (2018, October). *Evidence-based Evaluation of English Learners: Understanding socio-emotional and developmental factors in assessment*. Macomb Intermediate School District, Clinton Township, MI.
- Ortiz, S. O. (2018, October). *Contemporary Evaluation of Specific Learning Disability: A framework for best practice in assessment of dyslexia, dysgraphia, and dyscalculia with English Speakers and English learners – Part III*. Mineola Public Schools, Mineola, NY.
- Ortiz, S. O. (2018, October). *Contemporary Evaluation of Specific Learning Disability: A framework for best practice in assessment of dyslexia, dysgraphia, and dyscalculia with English Speakers and English learners – Part II*. Mineola Public Schools, Mineola, NY.
- Ortiz, S. O. (2018, September). *Contemporary Evaluation of Specific Learning Disability: A framework for best practice in assessment of dyslexia, dysgraphia, and dyscalculia with English learners – Part I*. Mineola Public Schools, Mineola, NY.
- Ortiz, S. O. (2018, September). *Evidence-based Evaluation of English Learners: A contemporary approach to fairness in disability determinations*. The School District of Palm Beach County, Palm Beach, FL.
- Ortiz, S. O. (2018, September). *Evidence-based Evaluation of English Learners: A contemporary approach to testing*. Gwinnett County Public Schools, Atlanta, GA.
- Ortiz, S. O. (2018, September). *Advanced issues in Assessment of English Learners*. Cobb County Schools, Atlanta, GA.
- Ortiz, S. O. (2018, August). *Evidence-based Evaluation of English Learners: A contemporary approach to testing*. Chicago Public Schools, Chicago, IL.
- Ortiz, S. O. (2018, August). *Evidence-based Evaluation of English Learners: A contemporary approach to testing*. Laramie County School District, Cheyenne, WY.
- Ortiz, S. O. (2018, August). *Evaluation of SLD with ELs: A PSW Approach using X-BASS and C-LIM software for beginner/intermediate users*. Education Service Center Region 20, San Antonio, TX.
- Ortiz, S. O. (2018, August). *Evaluation of SLD with ELs: A PSW Approach using X-BASS and C-LIM software for beginner/intermediate users*. Education Service Center Region 20, San Antonio, TX.
- Ortiz, S. O. (2018, August). *Assessment of English Language Learners: Evidence-based evaluation and best practice*. Cartwright Elementary School District, Phoenix, AZ.
- Ortiz, S. O. (2018, August). *Assessment of English Language Learners: Evidence-based evaluation and best practice*. Pearland Independent School District, Pearland, TX.
- Ortiz, S. O. (2018 June). *Evidence-based Evaluation of English Learners: A contemporary approach to*



*testing.* San Diego Unified School District, San Diego, CA.

Ortiz, S. O. (2018 June). *Evidence-based Evaluation of Culturally and Linguistically Diverse Students: A research-driven approach to nondiscriminatory assessment for all practitioners.* Mineola Public Schools, Mineola, NY.

Ortiz, S. O. (2018 June). *Square Pegs in Round Holes: Challenges in educating and evaluating English learners and understanding the reasons why they aren't "catching up."* Mineola Public Schools, Mineola, NY.

Ortiz, S. O. (2018 June). *Culturally and Linguistically Appropriate Instruction and Intervention: A developmental perspective on pre-referral issues, educational expectations, and true peer group comparison.* Mineola Public Schools, Mineola, NY.

Ortiz, S. O. (2018, June). *Evidence-based Instruction and Evaluation of English Language Learners: Day 2 – Bridging research and practice to promote fairness and equity in assessment.* James Madison University, Harrisonburg, VA.

Ortiz, S. O. (2018, May). *Evidence-based Instruction and Evaluation of English Language Learners: Day 1 – Developmental implications for instruction, intervention, and assessment.* James Madison University, Harrisonburg, VA.

Ortiz, S. O. (2018, May). *Evidence-based Evaluation of English Learners: A contemporary approach to testing.* Nova Southeastern University, Ft. Lauderdale, FL.

Ortiz, S. O. (2018, May). *Fairness in Evaluation of English Speakers and Learners: A case study approach illustrating applications of the Ortiz PVAT.* Webinar for Multi-Health Systems, Toronto, Canada.

Ortiz, S. O. (2018, May). *Evidence-based Evaluation of English Learners: A contemporary approach to testing.* Portland Public Schools, Portland, OR.

Ortiz, S. O. (2018, May). *Evidence-based Evaluation of English Learners: A contemporary approach to testing.* Montgomery County Intermediate Unit, Norristown, PA.

Ortiz, S. O. (2018, May). *Identification of SLD in English Learners via Pattern of Strengths and Weaknesses (PSW) Using X-BASS, C-LIM, and Ortiz PVAT.* South County Special Education Local Planning Agency, National City, CA.

Ortiz, S. O. (2018, May). *Evidence-based Evaluation of English Learners: A contemporary approach to testing.* Newport Mesa Unified School District, Costa Mesa, CA.

Ortiz, S. O. (2018, May). *Multicultural Issues in School Neuropsychological Evaluation: Best practices in nondiscriminatory assessment of culturally and linguistically diverse populations.* Webinar for 2017-2018 School Neuropsychology Post-Graduate Training Program, Dallas, TX.

Ortiz, S. O. (2018, April). *Evidence-based Evaluation of English Learners: A contemporary approach to testing.* Tulare County Office of Education, Visalia, CA.

Ortiz, S. O. (2018, April). *Evidence-based Evaluation of English Learners: A contemporary approach to testing.* Education Service Center Region 10, Dallas, TX.

Ortiz, S. O. (2018, April). *Fairness and English Learners: Toward true peer group measurement.* Webinar for Buros Institute, Lincoln, NE.

Ortiz, S. O. (2018, March). *Square Pegs in Round Holes: Challenges in Educating and Intervening with English learners.* NYCDOE Queens South Field Support Center. Queens, NY.

Ortiz, S. O. (2018, March). *Evidence-based Evaluation of English Learners: A contemporary approach to*

*fairness in disability determination.* Miami-Dade County Public Schools. Homestead, FL.

Ortiz, S. O. (2018, March). *Evidence-based Evaluation of English Learners: A contemporary approach to testing.* Paterson Public Schools, Paterson, NJ.

Ortiz, S. O. (2018, March). *Challenges in Educating and Evaluating English Learners: A developmental perspective.* Paterson Public Schools. Paterson, NJ.

Ortiz, S. O. (2018, March). *Square Pegs in Round Holes: Educating and Evaluating English learners—Bilinguals are not two monolinguals in one head.* Paterson Public School, Paterson, NJ.

Ortiz, S. O. (2018, March). *Evidence-based Evaluation of English Learners: A contemporary approach to testing.* Prince Georges County Public Schools, Upper Marlboro, MD.

Ortiz, S. O. (2018, March). *Identification of SLD in English Learners via Pattern of Strengths and Weaknesses (PSW) Using X-BASS and C-LIM.* San Francisco Unified School District, San Francisco, CA.

Ortiz, S. O. (2018, March). *Evidence-based Assessment of English Learners: A contemporary approach to testing.* Hayward Unified School District, Hayward, CA.

Ortiz, S. O. (2018, March). *Revolutionize the way you assess receptive vocabulary acquisition with the Ortiz PVAT: Live Q&A with author, Dr. Samuel Ortiz.* Webinar for Multi-Health Systems, Toronto, Canada.

Ortiz, S. O. (2018, February). *Advanced Use of X-BASS and C-LIM for Identification of SLD in English Learners via Pattern of Strengths and Weaknesses (PSW).* Fulton County School System, Atlanta, GA.

Ortiz, S. O. (2018, February). *Challenges in Educating, Evaluating, and Intervening with English learners.* NYC Dept. of Education, Inclusive Schools Learning Collaborative, New York, NY.

Ortiz, S. O. (2018, February). *Evidence-based Evaluation of English Learners: A contemporary approach to testing.* Montgomery County Public Schools, Rockville, MD.

Ortiz, S. O. (2018, January). *Square Pegs in Round Holes: Educating and Evaluating English learners—Bilinguals are not two monolinguals in one head.* Beaverton School District, Beaverton, OR.

Ortiz, S. O. (2017, December). *Contemporary Assessment of English Learners: Evidence-based evaluation and best practice.* Education Service Center Region 4, Pasadena, TX.

Ortiz, S. O. (2017, December). *Contemporary Assessment of English Learners: Evidence-based evaluation and best practice.* Education Service Center Region 4, Houston, TX.

Ortiz, S. O. (2017, December). *Contemporary Assessment of English Learners: Evidence-based evaluation and best practice.* Desert Mountain SELPA, Apple Valley, CA.

Ortiz, S. O. (2017, November). *Identification of SLD in English Learners via Pattern of Strengths and Weaknesses (PSW) Using X-BASS and C-LIM.* Chester County Intermediate Unit, Downingtown, PA.

Ortiz, S. O. (2017, October). *Fairness and English Learners: Toward true peer group measurement.* Buros Center for Testing, Meeting on Fairness in Educational and Psychological Tests: Critical issues and methodological solutions. Omaha, NE.

Ortiz, S. O. (2017, October). *Educational Disparities and the Achievement Gap: Understanding why English learners aren't "catching up."* Webinar for Loyola Marymount University, Los Angeles, CA.

Ortiz, S. O. (2017, September). *Identification of SLD in English Learners via Pattern of Strengths and Weaknesses (PSW) Using X-BASS and C-LIM.* Dutchess BOCES, Poughkeepsie, NY.

- Ortiz, S. O. (2017, September). *Contemporary Measurement of Vocabulary Acquisition in an Era of Diversity: Clinical and Educational Application of the Ortiz PVAT*. Webinar for Multi-Health Systems, Toronto, Canada.
- Ortiz, S. O. (2017, September). *CHC Theory, X-BASS, and the C-LIM: Advanced applications*. Cobb County School District, Atlanta, GA.
- Ortiz, S. O. (2017, July). Educational Disparities and the Achievement Gap: Understanding why English learners aren't "catching up." Keynote address at the George Washington University/National Association of School Psychologists Public Policy Institute, Washington DC.
- Ortiz, S. O. (2017, June). English Language Learners: Assessment and Evaluation. University of Saskatchewan, Saskatoon, Canada.
- Ortiz, S. O. (2017, June). English Language Learners: Instruction and Intervention. University of Saskatchewan, Saskatoon, Canada.
- Ortiz, S. O. (2017, June). The Bilingual-Bicultural Experience: Implications for school-based learning. Community Address, University of Saskatchewan, Saskatoon, Canada.
- Ortiz, S. O. (2017, May). Identification of SLD in English Learners via Pattern of Strengths and Weaknesses (PSW) Using X-BASS and C-LIM. Webinar for Dearborn Public Schools, Dearborn, MI.
- Ortiz, S. O. (2017, May). Overcoming Challenges in Educating English Learners: A developmental perspective. New York City Department of Education, Office of Special Education, NY, NY.
- Ortiz, S. O. (2017, May). Best Practices in Evaluation of English Learners: Application and use of the Culture-Language Interpretive Matrix. Horry County Schools, Conway, SC.
- Ortiz, S. O. (2017, May). Multicultural Issues in School Neuropsychological Evaluation: Best practices in nondiscriminatory assessment of culturally and linguistically diverse populations. Webinar for 2016-2017 School Neuropsychology Post-Graduate Training Program, Dallas, TX.
- Ortiz, S. O. (2017, March). Challenges in Educating and Evaluating English Learners: A developmental perspective. Sweetwater County School District, Rock Springs, WY.
- Ortiz, S. O. (2017, March). Case Study Applications: English Language Learner Evaluations. Webinar for Colorado Department of Education, Denver, CO.
- Ortiz, S. O. (2017, March). Best Practices in Evaluation of English Learners: Application and Use of the Culture-Language Interpretive Matrix. Fulton County Schools, Smyrna, GA.
- Ortiz, S. O. (2017, March). Advanced Cross-Battery Assessment: X-BASS v2.0 Software and Case Study Applications. South County Special Education Local Planning Agency. National City, CA.
- Ortiz, S. O. (2017, January). Interpreting and Reporting Results of Cross-Battery Assessment and PSW Analysis. South County Special Education Local Planning Agency. National City, CA.
- Ortiz, S. O. (2017, January). Difference vs. Disorder: Best Practices in Identification of Specific Learning Disability in English Learners. New York State Department of Education, RSE-TASC, Albany, NY.
- Ortiz, S. O. (2017, January). Advanced Issues in Collaborative vs. Traditional Models for Referral and Special Education Evaluation of English Learners. ESSU of Colorado Department of Education, Aurora, CO.
- Ortiz, S. O. (2016, December). Identification of SLD in English Learners via Pattern of Strengths and Weaknesses (PSW) Using X-BASS and C-LIM. South County Special Education Local Planning Agency. National City, CA.

- Ortiz, S. O. (2016, November). Identification of SLD in English Learners via Pattern of Strengths and Weaknesses (PSW) Using X-BASS and C-LIM. Westchester Schools, Westchester, PA.
- Ortiz, S. O. (2016, November). Use of the Cross-Battery Assessment Software System (X-BASS) to Support Identification of SLD via Pattern of Strengths and Weaknesses (PSW). South County Special Education Local Planning Agency. National City, CA.
- Ortiz, S. O. (2016, October). Cross-Battery Assessment: An introduction to the principles of the new XBA3 and their application in SLD determination. South County Special Education Local Planning Agency. National City, CA.
- Ortiz, S. O. (2016, October). Identification of SLD in English Learners via Pattern of Strengths and Weaknesses (PSW) Using X-BASS and C-LIM. North Coastal Consortium for Special Education, San Marcos, CA.
- Ortiz, S. O. (2016, October). Identification of SLD via Pattern of Strengths and Weaknesses (PSW) Using Cross-Battery Assessment and X-BASS. North Coastal Consortium for Special Education, San Marcos, CA.
- Ortiz, S. O. (2016, September). A Collaborative Evaluation Model: What you must know before referring an English Learner. Northwest Regional Education Service District ELL Conference. Hillsboro, Oregon.
- Ortiz, S. O. (2016, June). Collaborative vs. Traditional Models for English Learners in Special Education. ESSU/CLDE of the Colorado Department of Education, Denver, CO.
- Ortiz, S. O. (2016, June). Advanced Use and Interpretation of Cross-Battery Assessment Software System (X-BASS v1.0): An integrated XBA approach for Evaluating ELLs. Education Service Center Region 1, Edinburg, TX.
- Ortiz, S. O. (2016, May). *Evidence-based Instruction and Evaluation of English Language Learners: Day 2 – Bridging research and practice to promote fairness and equity in assessment*. James Madison University, Harrisonburg, VA.
- Ortiz, S. O. (2016, May). *Evidence-based Instruction and Evaluation of English Language Learners: Day 1 – Developmental implications for instruction, intervention, and assessment*. James Madison University, Harrisonburg, VA.
- Ortiz, S. O. (2016, May). Contemporary Evaluation of SLD: A Pattern of Strengths and Weaknesses (PSW) Approach via Cross-Battery Assessment and X-BASS Software. Placer County SELPA, Auburn, CA.
- Ortiz, S. O. (2016, April). Contemporary Evaluation of SLD: A Pattern of Strengths and Weaknesses (PSW) Approach via Cross-Battery Assessment and X-BASS Software. Santa Barbara County SELPA, Buellton, CA.
- Ortiz, S. O. (2016, March). Advanced Use of the C-LIM in the Cross-Battery Assessment Software System (X-BASS): An integrated XBA approach for evaluating English learners. Education Service Center Region 20, San Antonio, TX.
- Ortiz, S. O. (2016, March). Advanced Use and Interpretation of Cross-Battery Assessment Software System (X-BASS): New Updates to XBA3. Education Service Center Region 20, San Antonio, TX.
- Ortiz, S. O. (2015, December). Square Pegs in Round Holes: A developmental framework for understanding the instructional needs of English language learners. Valley Stream Central High School District. Valley Stream, NY.
- Ortiz, S. O. (2015, November). Evidence-based Evaluation of English Learners: Best practice in SLD

identification. Valley Stream Central High School District. Valley Stream, NY.

Ortiz, S. O. (2015, September). Advanced Use and Interpretation of Cross-Battery Assessment Software System (X-BASS v1.0): An integrated XBA approach for Evaluating ELLs. Education Service Center Region 20, San Antonio, TX.

Ortiz, S. O. (2015, September). Advanced Use and Interpretation of Cross-Battery Assessment Software System (X-BASS v1.0): New updates to XBA3. Education Service Center Region 20, San Antonio, TX.

Ortiz, S. O. (2015, September). ). Difference vs. Disorder: Evidence-based Practice in Evaluation of SLD with English Learners via a PSW Approach. Oceanside Unified School District, Oceanside, CA.

Ortiz, S. O. (2015, September). ). Difference vs. Disorder: Evidence-based Practice in Evaluation of SLD with English Learners via a PSW Approach. San Diego South County SELPA.

Ortiz, S. O. (2015, September). ). Difference vs. Disorder: Evidence-based Practice in Evaluation of SLD with English Learners via a PSW Approach. Cobb County Schools, Atlanta, GA.

Ortiz, S. O. (2015, September). Difference vs. Disorder: Evidence-based Practice in Evaluation of SLD with English Learners via a PSW Approach. Lakewood Board of Education, Lakewood, NJ.

Ortiz, S. O. (2015, June). Square Pegs in Round Holes: A developmental framework for meeting the literacy needs of English language learners. Literacy Institute, Portland Public Schools, Portland, OR.

Ortiz, S. O. (2015, June). Education and the Unique Experience of English Language Learners: Bilinguals are not two monolinguals in one head. Literacy Institute, Portland Public Schools, Portland, OR.

Ortiz, S. O. (2015, May). Introduction and Overview of the Cross-Battery Assessment Software System (X-BASS v1.0). Trainer of Trainers Workshop, Education Service Center Region 13, Austin, TX.

Ortiz, S. O. (2015, April). Evidence-based Evaluation of English Learners: Best practice in SLD identification. Valley Stream Central High School District, Valley Stream, NY.

Ortiz, S. O. (2015, April). Assessment of English Language Learners: Evidence-based evaluation and best practice. Baltimore City Public Schools, Baltimore, MD.

Ortiz, S. O. (2015, April). Assessment of English Language Learners: Evidence-based evaluation and best practice. Portland City Public Schools, Portland, OR.

Ortiz, S. O. (2015, March). Assessment of English Language Learners: Evidence-based evaluation and best practice. Westbrook School Department, Portland, ME.

Ortiz, S. O. (2014, December). Evidence-based Assessment of English Language Learners: Application and use of the Culture-Language Interpretive Matrix in enhancing SLD evaluations. Education Service Center, Region 19, El Paso, TX.

Ortiz, S. O. (2014, October). Assessment of English Language Learners: Evidence-based evaluation and best practice. Surrey Schools – District 36, Vancouver BC, Canada.

Ortiz, S. O. (2014, October). Psychoeducational Evaluation via CHC Cross-Battery Assessment (XBA): Keeping up with advances in the theory and science of testing and applications for learning disability identification. Corona-Norco Unified School District, Corona, CA.

Ortiz, S. O. (2014, September). English Language Learners and Early Childhood Evaluations: A developmental framework for equitable assessment. Education Service Center, Region 13, Austin, TX.

Ortiz, S. O. (2014, May). *Evidence-based Instruction and Evaluation of English Language Learners: Day 2*



- *Bridging research and practice to promote fairness and equity in assessment*. James Madison University, Harrisonburg, VA.
- Ortiz, S. O. (2014, May). *Evidence-based Instruction and Evaluation of English Language Learners: Day 1 – Developmental implications for instruction, intervention, and assessment*. James Madison University, Harrisonburg, VA.
- Ortiz, S. O. (2014, April). Evidence-based Evaluation of Culturally and Linguistically Diverse Individuals: Bridging theory and research in equitable assessment of English language learners. The George Washington University, Washington DC.
- Ortiz, S. O. (2014, March). Differentiation of Cultural and Linguistic Differences from Disorder: A developmental perspective on the instruction and evaluation of English language learners. Sweetwater County School District, Rock Springs, WY.
- Ortiz, S. O. (2014, March). Critical Examination of Current and Typical Methods of Assessment with English Learners: What works, what doesn't, and why. Region 1 Education Service Center, Edinburg, TX.
- Ortiz, S. O. (2014, February). Disability Evaluation of Diverse Learners: A systematic approach for distinguishing cultural/linguistic differences from disorder in evaluation of Intellectual Disability (ID) and Emotional Disturbance (ED) with English language learners. Region 20 Educational Service Center, San Antonio, TX.
- Ortiz, S. O. (2014, January). Evidence-based Evaluation of Diverse Learners: Nondiscriminatory assessment and use of the Culture-Language Interpretive Matrix (C-LIM v2.0).
- Ortiz, S. O. (2013, December). Best Practices in Nondiscriminatory Assessment: Bridging research and practice to promote fairness and equity in the evaluation of English learners. Region V and Fairleigh Dickinson University Inter-regional Workshop, Hackensack, NJ.
- Ortiz, S. O. (2013, November). Psychoeducational Evaluation via CHC Cross-Battery Assessment (XBA): Advances in theory and testing and applications for learning disability identification and assessment of English language learners. Santa Barbara SELPA, Santa Barbara, CA.
- Ortiz, S. O. (2013, November). Best Practices in Nondiscriminatory Assessment: Bridging research and practice to promote fairness and equity in the evaluation of English learners. Prince George's County Public Schools, Prince George County, MD.
- Ortiz, S. O. (2013, November). Evidence-based Evaluation of Diverse Learners: Using the Culture-Language Interpretive Matrix (C-LIM v2.0). Region 13 Education Service Center, Austin, TX.
- Ortiz, S. O. (2013, October). Evidence-based Evaluation of Diverse Learners: A developmental framework for effective instructional practice, intervention, and nondiscriminatory assessment. Lakewood Board of Education, Lakewood NJ.
- Ortiz, S. O. (2013, October). Cross-Battery Assessment 3: Principles of XBA3 and use of the XBA3 software in psychoeducational evaluation. Region 20 Education Service Center, San Antonio, TX.
- Ortiz, S. O. (2013, October). Evidence-based Evaluation of Diverse Learners: Using the Culture-Language Interpretive Matrix (C-LIM v2.0). Region 20 Education Service Center, San Antonio, TX.
- Ortiz, S. O. (2013, October). Cross-Battery Assessment 3: Principles of XBA3 and use of the XBA3 software in psychoeducational evaluation. Region 4 Education Service Center, Houston, TX.
- Ortiz, S. O. (2013, October). Evidence-based Evaluation of Diverse Learners: Using the Culture-Language Interpretive Matrix (C-LIM v2.0). Region 4 Education Service Center, Houston, TX.
- Ortiz, S. O. (2013, October). Distinguishing Difference from Disorder: A developmental framework for

effective instructional practice, intervention, and nondiscriminatory assessment. Lakewood Board of Education, Lakewood, NJ.

Ortiz, S. O. (2013, September). Evidence-based Evaluation of Diverse Learners: Using the Culture-Language Interpretive Matrix (C-LIM v2.0). Region 7 Education Service Center, Kilgore, TX.

Ortiz, S. O. (2013, September). Distinguishing Difference from Disorder: A developmental perspective on achievement, instruction, and evaluation practices with English Language Learners. Pasadena Independent School District, Pasadena, TX.

Ortiz, S. O. (2013, September). Distinguishing Difference from Disorder in English Learners & Guidance on How to Use the Culture-Language Interpretive Matrix (C-LIM v2.0). Pharr-San Juan-Alamo Independent School District, Pharr, TX.

Ortiz, S. O. (2013, July). Evidence-based Instruction and Evaluation of English Language Learners: Bridging research and practice to promote fairness and equity in assessment. Tucson Unified School District, Tucson, AZ.

Ortiz, S. O. (2013, June). Distinguishing Difference from Disorder in English Learners & Guidance on How to Use the Culture-Language Interpretive Matrix (C-LIM v2.0). Pasadena Independent School District, Pasadena, TX.

Ortiz, S. O. (2013, June). CHC Cross-Battery Assessment Camp: Principles of the new XBA3 and application in SLD determination and evaluation of English learners. Education Service Center Region 20, San Antonio, TX.

Ortiz, S. O. (2013, June). CHC Cross-Battery Assessment: Principles of the new XBA3 and application in SLD determination and evaluation of English learners. Education Service Center Region 2, Corpus Christi, TX.

Ortiz, S. O. (2013, June). Assessing Culturally and Linguistically Diverse Students: A developmental perspective in the instruction and evaluation of English learners. Greenwich Public Schools, Greenwich, CT.

Ortiz, S. O. (2013, May). CHC Cross-Battery Assessment: The evolution and integration of theory, psychometrics, and tests. The Ohio State University, Columbus, OH.

Ortiz, S. O. (2013, April). Evidence-based Instruction and Best Practices in Evaluation of Diverse Learners: A developmental perspective on distinguishing "difference vs. disorder." District of Columbia Public Schools, Washington DC.

Ortiz, S. O. (2013, March). Evidence-based Assessment and Evaluation of English Language Learners: Application and use of XBA methods and software in SLD identification. Education Service Center Region 20, San Antonio, TX.

Ortiz, S. O. (2013, February). Evidence-based Instruction and Evaluation of English Language Learners Using the Culture-Language Interpretive Matrix. Humble Independent School District and Education Service Center Region 4, Humble, TX.

Ortiz, S. O. (2013, February). *Evidence-based Instruction and Evaluation of English Language Learners Using the Culture-Language Interpretive Matrix*. Katy Independent School District and Education Service Center Region 4, Katy, TX.

Ortiz, S. O. (2013, January). *Evidence-based Instruction and Evaluation of English Language Learners: Bridging Research and Practice to Promote Fairness and Equity in Assessment*. Colorado Department of Education and Colorado Bilingual School Mental Health Network, Denver, CO.

Ortiz, S. O. (2013, January). *Evidence-based Instruction and Evaluation of English Language Learners: Developmental implications for instruction, intervention, and assessment*. Colorado Department of

Education and Colorado Bilingual School Mental Health Network, Denver, CO.

- Ortiz, S. O. (2013, January). *Assessment and Evaluation of English Language Learners: An evidence-based approach for distinguishing "difference from disorder*. Greenville County Schools, Greenville, SC.
- Ortiz, S. O. (2013, January). *Effective Pre-referral Intervention and Instruction for English Language Learners: Development and implementation of culturally and linguistically appropriate strategies for promoting academic success*. Greenville County Schools, Greenville, SC.
- Ortiz, S. O. (2012, November). *The ESL Student—Lack of Exposure or Learning Disabled? Implications of a bilingual and bicultural experience in the instruction and evaluation of English Learners*. New Jersey State Region V and Fairleigh Dickinson University, Madison, NJ.
- Ortiz, S. O. (2012, November). *Understanding the Bilingual-Bicultural Experience in the School Setting: Developmental implications for distinguishing learning differences from disorders in English Language Learners*. Greenville County Schools, Greenville, SC.
- Ortiz, S. O. (2012, October). *Integrating CHC Cross-Battery Assessment in Psychoeducational Evaluations: Intermediate level instruction in the application and use of Cross-battery Assessment (XBA) principles, procedures, software, and interpretive steps*. Education Service Center Region 20, San Antonio, TX.
- Ortiz, S. O. (2012, August). *Issues in Instruction and Intervention with English Learners: The role and function of Elementary Level ESOL teachers in serving as effective intervention team members*. Prince William County Schools, Manassas, VA.
- Ortiz, S. O. (2012, August). *Issues in Instruction and Intervention with English Learners: The role and function of Secondary Level ESOL teachers in serving as effective intervention team members*. Prince William County Schools, Manassas, VA.
- Ortiz, S. O. (2012, August). *Issues in Instruction and Intervention with English Learners: Creating effective intervention teams and application of RTI models*. Prince William County Schools, Manassas, VA.
- Ortiz, S. O. (2012, August). *Culturally Competent Assessment of Diverse Populations: Understanding the impact of culture and language on test performance*. Austin Independent School District, Austin, TX.
- Ortiz, S. O. (2012, July). *Evidence-based Evaluation of English Language Learners: Bridging research and practice via the C-LIM to enhance fairness and equity in assessment*. Education Service Center Region 11, Fort Worth, TX.
- Ortiz, S. O. (2012, June). *Evidence-based Instruction and Evaluation of English Language Learners: Day 2 – Bridging research and practice to promote fairness and equity in assessment*. James Madison University, Harrisonburg, VA.
- Ortiz, S. O. (2012, June). *Evidence-based Instruction and Evaluation of English Language Learners: Day 1 – Developmental implications for instruction, intervention, and assessment*. James Madison University, Harrisonburg, VA.
- Ortiz, S. O. (2012, June). *Evidence-based Instruction and Evaluation of English Language Learners: Day 2 – Bridging research and practice to promote fairness and equity in assessment*. Valparaiso University, Valparaiso, IN.
- Ortiz, S. O. (2012, May). *Evidence-based Instruction and Evaluation of English Language Learners: Day 1 – Developmental implications for instruction, intervention, and assessment*. Valparaiso University, Valparaiso, IN.
- Ortiz, S. O. (2012, April). *Issues in Serving Linguistically Diverse Populations in School: Building and maintaining equitable delivery systems for English language learners*. Prince William County Schools,

Dumfries, VA.

- Ortiz, S. O. (2012, April). *Issues in Instruction and Intervention with English Language Learners: A developmental perspective on understanding the educational needs of English learners*. Prince William County Schools, Dumfries, VA.
- Ortiz, S. O. (2012, April). *Advanced Issues in Evaluation of English Learners: Bridging research and practice to promote fairness and equity in assessment*. Prince William County Schools, Dumfries, VA.
- Ortiz, S. O. (2012, April). *Disproportionate Representation in Special Education Placement: A developmental perspective on the academic outcomes of English language learners*. Prince William County Schools, Dumfries, VA.
- Ortiz, S. O. (2012, April). *Evidence-based Assessment and Evaluation of English Learners: Bridging research and practice to promote fairness and equity in assessment*. San Marcos Unified School District, San Marcos, CA.
- Ortiz, S. O. (2012, April). *Issues in Instruction and Intervention with English Learners: A developmental perspective on understanding the educational needs of English Learners*. San Marcos Unified School District, San Marcos, CA.
- Ortiz, S. O. (2012, March). *Establishing Validity and Enhancing Interpretation of Test Results via the Culture-Language Interpretive Matrix: Evidence-based practice in the evaluation of ELLs*. Education Service Center Region 10, Dallas, TX.
- Ortiz, S. O. (2012, March). *Assessment Considerations for Young English Language Learners: Long term effects on academic and cognitive development related to early L1 vs. L2 instruction*. New York State Bilingual Preschool Teaching and Assistance Center, NY, NY.
- Ortiz, S. O. (2012, February). *CHC Cross-Battery Assessment: Advanced Issues and Case Studies in Cross-Battery Assessment (XBA) and Interpretation*. Education Service Center Region 20, San Antonio, TX.
- Ortiz, S. O. (2012, February). *Determining "difference" from "disorder" in English Language Learners*. Wayne County RESA, Detroit, MI.
- Ortiz, S. O. (2011, November). *Critical Examination of Current and Typical Methods of Assessment with English Learners: What works and why*. Education Service Center Region 10, Dallas, TX.
- Ortiz, S. O. (2011, October). *Integrating CHC Cross-Battery Assessment in Psychoeducational Evaluations: Intermediate level instruction in the application and use of Cross-battery Assessment (XBA) principles, procedures, software, and interpretive steps*. Education Service Center Region 20, San Antonio, TX.
- Ortiz, S. O. (2011, October). *Creating Effective Instructional Environments for Culturally and Linguistically Diverse Students: Bridging research and practice to promote fairness and equity in assessment*. Charleston County School District, Charleston, SC.
- Ortiz, S. O. (2011, October). *Creating Effective Instructional Environments for Culturally and Linguistically Diverse Students: A developmental perspective on understanding the instructional needs of English learners*. Charleston County School District, Charleston, SC.
- Ortiz, S. O. (2011, May). *Standardized Measurement in a Diverse World: Assessment, Eligibility & Diversity*. Fauquier County Public Schools, Warrenton, VA.
- Ortiz, S. O. (2011, May). *Issues in Instruction, Pre-referral Evaluation, and Response-to-Intervention for English Language Learners: A developmental perspective on understanding difference vs. disorder*. The State Education Department/The University of the State of New York and Ulster County BOCES. Albany, NY.

- Ortiz, S. O. (2011, April). *The Meeting of the Minds: Building Integrated School-based SLD Procedures*. Oregon School Psychology Association and Oregon Branch of the International Dyslexia Association, Portland, OR.
- Ortiz, S. O. (2011, April). *Assessment and Evaluation of Culturally and Linguistically Diverse Students: A systematic, practical approach for equitable evaluation*. North Coast Consortium for Special Education, San Marcos, CA.
- Ortiz, S. O. (2011, March). *Effective Instruction and Responsive Intervention for Culturally and Linguistically Diverse Students*. North Coast Consortium for Special Education, San Marcos, CA.
- Ortiz, S. O. (2011, March). *Evidence-based Intervention and Assessment: How to bridge research and practice in the education and evaluation of English learners*. Roanoke City Public Schools, Roanoke, VA.
- Ortiz, S. O. (2011, March). *Bilingualism and Education – Two Languages, Two Cultures, One School: A developmental perspective on nondiscriminatory, psychoeducational assessment*. Irvine Unified School District, Irvine, CA.
- Ortiz, S. O. (2011, March). *Bilingualism and Education – Two Languages, Two Cultures, One School: A developmental perspective on the teaching and learning of ELLs*. Irvine Unified School District, Irvine, CA.
- Ortiz, S. O. (2011, February). *CHC Cross-Battery Assessment: Advanced Issues and Case Studies in Cross-Battery Assessment (XBA) and Interpretation*. Education Service Center Region 20, San Antonio, TX.
- Ortiz, S. O. (2011, January). *Evidence-based Nondiscriminatory Assessment: Bridging research and practice in the evaluation of English Language Learners*. Minnesota Department of Education, Minneapolis, MN.
- Ortiz, S. O. (2011, January). *Evidence-based Intervention and Assessment: How to bridge research and practice in the education and evaluation of English learners*. Horry County Public Schools, Myrtle Beach, SC.
- Ortiz, S. O. (2010, December). *Evidence-based Nondiscriminatory Assessment: Bridging research and practice in the evaluation of English learners*. Education Service Center Region 7, Kilgore, TX.
- Ortiz, S. O. (2010, September). *CHC Cross-Battery Assessment: Intermediate level instruction and application of Cross-Battery Assessment (XBA) and interpretation in psychoeducational evaluations*. Education Service Center Region 20, San Antonio, TX.
- Ortiz, S. O. (2010, August). *CHC Cross-Battery Assessment: Advanced issues and case studies in Cross-Battery Assessment (XBA) and interpretation*. Education Service Center Region 19, El Paso, TX.
- Ortiz, S. O. (2010, June). *Assessment and Evaluation of Culturally and Linguistically Diverse Students: A systematic, practical approach for equitable evaluation*. Carlsbad Unified School District, Carlsbad, CA.
- Ortiz, S. O. (2010, June). *Assessment and Evaluation of Culturally and Linguistically Diverse Students: A systematic, practical approach for equitable evaluation*. James Madison University, Harrisonburg, VA.
- Ortiz, S. O. (2010, June). *Issues in Pre-referral and Response-to-Intervention for Culturally and Linguistically Diverse Students: What works, and why*. James Madison University, Harrisonburg, VA.
- Ortiz, S. O. (2010, June). *Evaluating Students Using the CHC Cross-Battery Approach and the Culture-Language Interpretive Matrix*. Summer Evaluation Institute, Education Service Center Region 4,



Houston, TX.

Ortiz, S. O. (2010, June). *Why Don't Bilingual Students Like School? Understanding the bilingual-bicultural experience*. Summer Evaluation Institute, Education Service Center Region 4, Houston, TX.

Ortiz, S. O. (2010, June). *Assessment and Evaluation of Culturally and Linguistically Diverse Students: A systematic, practical approach for equitable evaluation*. Frederick County Public Schools, Frederick, VA.

Ortiz, S. O. (2010, June). *Effective Instruction, Pre-referral Issues, and Response-to-Intervention for Culturally and Linguistically Diverse Students: What works, and why*. Frederick County Public Schools, Frederick, VA.

Ortiz, S. O. (2010, March). *Evidence-based Practice in Nondiscriminatory Assessment: Use of the Culture-Language Test Classification and Interpretive Matrix*. Educational Service Center of Central Ohio, Columbus, OH.

Ortiz, S. O. (2010, February). *Assessment and Evaluation of Culturally and Linguistically Diverse Students: A systematic, practical approach for equitable evaluation*. North Coast Consortium for Special Education, San Marcos, CA.

Ortiz, S. O. (2010, February). *Effective Instruction and Responsive Intervention for Culturally and Linguistically Diverse Students*. North Coast Consortium for Special Education, San Marcos, CA.

Ortiz, S. O. (2010, February). *Assessment of Culturally and Linguistically Diverse Students: Application of the Culture-Language Test Classifications (C-LTC) and Culture-Language Interpretive Matrix (C-LIM)*. Education Service Center Region 20, San Antonio, TX.

Ortiz, S. O. (2010, January). *Advanced Issues and Case Studies in Cross-Battery Assessment (XBA) and Interpretation*. Education Service Center Region 20, San Antonio, TX.

Ortiz, S. O. (2009, December). *Use of the Culture-Language Interpretive Matrix in Assessment of English Learners: Issues and case studies in advanced implementation and use of the C-LIM*. Washington Elementary School District, Phoenix, AZ.

Ortiz, S. O. (2009, December). *RTI and Comprehensive Assessment: Issues in implementation with English Learners*. Washington Elementary School District, Phoenix, AZ.

Ortiz, S. O. (2009, November). *Introduction to Cross-Battery Assessment: CHC Theory and Guidelines for Cross-Battery Assessment (XBA) and Interpretation*. Education Service Center Region 20, San Antonio, TX.

Ortiz, S. O. (2009, July). *Conducting Cross-Battery Assessment Speech-Language Evaluations with Culturally and Linguistically Diverse Individuals, Part 3: Application and Use of the Culture-Language Test Classifications and Interpretive Matrix*. Education Service Center Region 1, McAllen, TX.

Ortiz, S. O. (2009, July). *Conducting Cross-Battery Assessment Speech-Language Evaluations with Culturally and Linguistically Diverse Individuals, Part 2: Introduction to CHC Theory and Cross-Battery Assessment (XBA) and Interpretation*. Education Service Center Region 1, McAllen, TX.

Ortiz, S. O. (2009, July). *Conducting Cross-Battery Assessment Speech-Language Evaluations with Culturally and Linguistically Diverse Individuals, Part 1: Understanding Cultural and Linguistic Influences on Cognitive, Linguistic, and Academic Development as a Foundation for Nondiscriminatory Assessment*. Education Service Center Region 1, McAllen, TX.

Ortiz, S. O. (2009, July). *Conducting Cross-Battery Assessment Psychoeducational Evaluations with Culturally and Linguistically Diverse Individuals: Advanced issues and case studies in the application and use of the Culture-Language Test Classifications and Interpretive Matrix*. Education Service Center Region 1, McAllen, TX.

- Ortiz, S. O. (2009, June). *Fairness and Equity in Assessment: Issues in the cross-language and cross-cultural use of standardized tests*. Lecture for the Faculty of Hanoi National University of Education, St. John's University, New York, NY.
- Ortiz, S. O. (2009, April). *Understanding and Evaluating English Language Learners, Part 2: Issues in academic, cognitive, and linguistic development in early childhood*. Association of Early Childhood and Infant Psychologists Psychology Department, Pace University, New York, NY.
- Ortiz, S. O. (2009, March). *Psychological Assessment of English Language Learners: What all psychologists need to know*. Pace University, New York, NY.
- Ortiz, S. O. (2009, February). *Assessment and Evaluation of Culturally and Linguistically Diverse Students: A systematic, practical approach for equitable evaluation*. North Coast Consortium for Special Education, San Marcos, CA.
- Ortiz, S. O. (2009, February). *Effective Instruction and Responsive Intervention for Culturally and Linguistically Diverse Students*. North Coast Consortium for Special Education, San Marcos, CA.
- Ortiz, S. O. (2009, January). *Pre-referral Processes and Response-to Intervention with English Language Learners: The impact of language and culture on the development and acquisition of academic skills and school achievement and response-to-intervention*. Workshop sponsored by Schoolhouse Educational Services, LLC. Milwaukee, WI.
- Ortiz, S. O. (2009, January). *Cross-Battery Assessment with Culturally and Linguistically Diverse Individuals: Use of the Culture-Language Test Classifications and Culture-Language Interpretive Matrix*. Minnesota Department of Education, Minneapolis, MN.
- Ortiz, S. O. (2008, December). *Cross-Battery Assessment with Culturally and Linguistically Diverse Individuals: Use of the Culture-Language Test Classifications and Culture-Language Interpretive Matrix*. Education Service Center Region 19, El Paso, TX.
- Ortiz, S. O. (2008, November). *Understanding and Evaluating English Language Learners, Part 1: Issues in academic, cognitive, and linguistic development in early childhood*. Association of Early Childhood and Infant Psychologists Psychology Department, Pace University, New York, NY.
- Ortiz, S. O. (2008, October). *Challenges in Cross-Cultural Assessment: Methods and procedures for conducting nondiscriminatory evaluation of culturally and linguistically diverse students*. Field Supervisor's Conference, Philadelphia College of Osteopathic Medicine, Philadelphia, PA.
- Ortiz, S. O. (2008, October). *Cross-Battery Assessment with Culturally and Linguistically Diverse Students*. Education Service Center Region 2, Corpus Christi, TX.
- Ortiz, S. O. (2008, October). *Best Practices in Learning Disability and Nondiscriminatory Assessment: Use of the K-ABC-II and Academic Ability Tests with Culturally and Linguistically Diverse Students*. Sponsored by Pearson Assessments, Boston Public Schools, Boston, MA.
- Ortiz, S. O. (2008, August). *The Education and Evaluation of English Language Learners: Understanding Parallel Processes in Development*. Jamul-Dulzura Union School District, Jamul, CA.
- Ortiz, S. O. (2008, July). *Cross-Battery Assessment with Culturally and Linguistically Diverse Individuals: Developmental Foundations and Introduction to the Culture-Language Test Classifications and Interpretive Matrix*. Education Service Center Region 12, San Antonio, TX.
- Ortiz, S. O. (2008, July). *Cross-Battery Assessment with Culturally and Linguistically Diverse Individuals: Part 1 – Developmental Foundations and Introduction to the Culture-Language Test Classifications and Part 2 – Interpretive Matrix and Introduction to Cross-Battery Assessment and Case Studies in Disability Evaluations*. Education Service Center Region 12, Uvalde, TX.

- Ortiz, S. O. (2008, June). *Cross-Battery Assessment with Culturally and Linguistically Diverse Individuals: Case study presentations using the Culture-Language Test Classifications and Interpretive Matrix*. Education Service Center Region 4, Summer Institute, Houston, TX
- Ortiz, S. O. (2008, June). *Nondiscriminatory Assessment of Culturally and Linguistically Diverse Students: A systematic, practical approach for equitable evaluation*. James Madison University, Harrisonburg, VA.
- Ortiz, S. O. (2008, February). *The Pre-referral Process and Characteristics of English Language Learners*. North Coastal Consortium for Special Education, San Marcos, CA.
- Ortiz, S. O. (2008, February). *Assessment of English Language Learners: A systematic, practical approach for nondiscriminatory evaluation*. North Coastal Consortium for Special Education, San Marcos, CA.
- Ortiz, S. O. (2007, November). *Best Practices in Assessment of Culturally and Linguistically Diverse Students: A systematic, practical approach to nondiscriminatory assessment*. Charlotte-Mecklenburg School District. Charlotte, NC.
- Ortiz, S. O. (2007, November). *Best Practices in Assessment of Culturally and Linguistically Diverse Students: Distinguishing difference vs. disorder using the Culture-Language Test Classifications and Interpretive Matrix*. Commack Union Free School District. Commack, NY.
- Ortiz, S. O. (2007, October). *Cognitive Assessment and RTI with Culturally and Linguistically Diverse Students: An integrative approach for reducing inappropriate referrals and discriminatory evaluations*. Education Service Center Region 10. Dallas, TX.
- Ortiz, S. O. (2007, June). *Assessment of English Language Learners: A systematic, practical approach for nondiscriminatory evaluation*. Northeastern University, Boston, MA.
- Ortiz, S. O. (2007, March). *Educating and Evaluating Culturally and Linguistically Diverse Students: Foundations in understanding struggling ELLs*. Oakland Schools, Waterford, MI.
- Ortiz, S. O. (2007, March). *Educating and Evaluating Culturally and Linguistically Diverse Students: Applications*. Oakland Schools, Waterford, MI.
- Ortiz, S. O. (2007, February). *The Pre-referral Process and Characteristics of English Language Learners*. North Coastal Consortium for Special Education, San Marcos, CA.
- Ortiz, S. O. (2007, February). *Assessment of English Language Learners: A systematic, practical approach for nondiscriminatory evaluation*. North Coastal Consortium for Special Education, San Marcos, CA.
- Ortiz, S. O. & Ochoa, H. S. (2007, January). *Nondiscriminatory Assessment of Culturally and Linguistically Diverse Students: A systematic, practical approach for equitable evaluation*. Edinburgh Public Schools, Edinburgh, TX.
- Ortiz, S. O. (2006, December). *Nondiscriminatory Assessment of Culturally and Linguistically Diverse Students: A systematic, practical approach for equitable evaluation*. Deer Valley Unified School District, Phoenix, AZ.
- Ortiz, S. O. (2006, November). *Nondiscriminatory CHC Cross-Battery Assessment: Achieving equity in cognitive, academic, and linguistic evaluation of diverse individuals*. Mineola Unified School District, Mineola, NY.
- Ortiz, S. O. (2006, November). *English Language Learners in Education: Maybe if we refuse to educate their kids they'll go away*. Keynote speech, Superintendent's conference, Mineola Unified School District, Mineola, NY.

- Ortiz, S. O. (2006, October). *Teaching and Assessing English Language Learners in Our Schools: How it works and what it takes to achieve equity in evaluation and instruction*. Education Service Center Region 20, San Antonio, TX.
- Ortiz, S. O. & Ochoa, S. H. (2006, August). *Nondiscriminatory Assessment of Culturally and Linguistically Diverse Students: A systematic, practical approach for equitable evaluation*. Education Service Center Region 1, McAllen, TX.
- Ortiz, S. O. (2006, June). *Nondiscriminatory Assessment of Culturally and Linguistically Diverse Students: A systematic, practical approach for equitable evaluation*. James Madison University, Harrisonburg, VA.
- Ortiz, S. O. (2006, June). *Best Practices in LD and Nondiscriminatory Assessment, Part II: Use of the K-ABC-II and Academic Ability Tests with Culturally and Linguistically Diverse Students*. Superintendents Conference, Newark Unified School District, Newark, NJ.
- Ortiz, S. O. (2006, June). *Multiculturalism and Candidates with Disabilities: Sorting out documentation and accommodation issues*. American Council on Education/GED Testing Service, Washington, DC.
- Ortiz, S. O. (2006, May). *Multiculturalism and Test Takers with Disabilities: Sorting out documentation and accommodation issues*. Educational Testing Service (ETS), Princeton, NJ.
- Ortiz, S. O. (2006, May). *Best Practices in LD and Nondiscriminatory Assessment, Part II: Use of the K-ABC-II and Academic Ability Tests with Culturally and Linguistically Diverse Students*. Workshop sponsored by AGS Publishing, Inc., Los Angeles, CA.
- Ortiz, S. O. (2005, November). *Nondiscriminatory Assessment of Culturally and Linguistically Diverse Students: A systematic, practical approach for equitable evaluation*. Mineola Public Schools, Mineola, NY.
- Ortiz, S. O. (2005, October). *Assessment of Culturally and Linguistically Diverse Students: A systematic, practical approach for nondiscriminatory assessment*. Harrisonburg City Schools, Harrisonburg, VA.
- Ortiz, S. O. (2005, September). *English Language Learners: Developmental issues in instruction, intervention, and evaluation*. Oklahoma State Department of Education, Annual Superintendent's Conference on Special Education. Tulsa, OK.
- Ortiz, S. O. (2005, August). *Nondiscriminatory Assessment of Culturally and Linguistically Diverse Students: Developmental issues in evaluation*. Louisiana State Department of Education Student Appraisal Summer Institute. Baton Rouge, LA.
- Ortiz, S. O. (2005, August). *Nondiscriminatory Assessment Using the KABC-II*. Louisiana State Department of Education Student Appraisal Summer Institute. Baton Rouge, LA.
- Ortiz, S. O. (2005, May). *Nondiscriminatory Assessment Using the Culture-Language Test Classifications: How does the KABC-II fare?* Workshop sponsored by AGS Publishing, Fordham University, New York, NY.
- Ortiz, S. O. (2005, April). *Psychoeducational Assessment of Children from Culturally and Linguistically Diverse Backgrounds*. Workshop sponsored by Schoolhouse Educational Services, LLC. Bloomington, IL.
- Ortiz, S. O. (2005, February). *Assessment of Culturally and Linguistically Diverse Students: Application and Use of the Culture-Language Extensions of the CHC Cross-Battery Approach*. SDSU Bilingual School Psychology Partnership and San Diego City Schools, San Diego, CA.
- Ortiz, S. O. (2004, December). *Psychoeducational Assessment of Children from Culturally and Linguistically Diverse Backgrounds*. Workshop sponsored by Schoolhouse Educational Services, LLC. Williamsburgh, VA.



- Ortiz, S. O. (2004, November). *Comprehensive Assessment of Culturally and Linguistically Diverse Students*. Minority Recruitment Workshop sponsored by the Orange County Association of School Psychologists, the Yorba-Linda Unified School District, and the National Association of School Psychologists, Yorba Linda, CA.
- Ortiz, S. O. (2004, September). *Comprehensive Assessment of Culturally and Linguistically Diverse Students: A systematic, practical approach for nondiscriminatory assessment*. Washington Elementary School District, Phoenix, AZ.
- Ortiz, S. O. (2004, September). *Understanding and evaluating the culturally and linguistically diverse student: Equitable and collaborative assessment*. Alexandria City Public Schools, Alexandria, VA.
- Ortiz, S. O. (2004, May). *Accuracy in Bilingual Case Development: Comprehensive Assessment of Culturally and Linguistically Diverse Students*. Workshop sponsored by the National Association of School Psychologists and Los Angeles Unified School District, Los Angeles, CA.
- Ortiz, S. O. (2004, May). *Principles and Procedures in CHC Cross-Battery Assessment: Instruments and approaches in the assessment of English-Learners*. Workshop sponsored by the National Association of School Psychologists and Los Angeles Unified School District, Los Angeles, CA.
- Ortiz, S. O. (2004, February). *Comprehensive Assessment of Culturally and Linguistically Diverse Students*. Minority Recruitment Workshop sponsored by National Association of School Psychologists and Newark Public Schools, New Jersey City University, NJ.
- Ortiz, S. O. & Ochoa, S. H. (2004, February). *Psychoeducational Assessment of Children from Culturally and Linguistically Diverse Backgrounds*. Workshop sponsored by Schoolhouse Educational Services, LLC. Wisconsin Dells, WI.
- Ortiz, S. O. (2003, December). *Native Language Instruction vs. English Immersion: When do English learners really "catch up?"* John F. Kennedy Magnet School, Port Chester, NY.
- Ortiz, S. O. & Ochoa, S. H. (2003, November). *Psychoeducational Assessment of Children from Culturally and Linguistically Diverse Backgrounds*. Workshop sponsored by Schoolhouse Educational Services, LLC. Minneapolis, MN.
- Ortiz, S. O. (2003, November). *Native Language Instruction vs. English Immersion: When do English learners really "catch up?"* Chicago Public Schools, Chicago, IL.
- Ortiz, S. O. (2003, April). *Education follows Maturation: Developmental, cognitive, and linguistic influences in the instruction and evaluation of English Language learners*. South Huntington Unified School District, Long Island, NY.
- Ortiz, S. O. (2003, March). *Comprehensive Assessment of Culturally and Linguistically Diverse Individuals: A systematic, practical approach to nondiscriminatory assessment, Part II*. Metro Regional Educational Service and Cobb County Public Schools, Atlanta, GA.
- Ortiz, S. O. (2002, November). *Comprehensive Assessment of Culturally and Linguistically Diverse Individuals: A systematic, practical approach to nondiscriminatory assessment, Part I*. Metro Regional Educational Service and Cobb County Public Schools, Atlanta, GA.
- Ortiz, S. O. (2002, June). *The Relationship between Language, Cognition, and Academic Achievement: Special education is not the answer*. Panel presentation at the conference on Health Care and Educational Needs of the Latino Community in New York City: The effect of changing demographics on service delivery. St. John's University, Jamaica, NY.
- Ortiz, S. O. (2002, May). *From General Education to Special Education: Practical approaches for evaluation and instruction of English learners*. Warren Consolidated Schools, Warren, MI.



- Ortiz, S. O. (2002, April). *Serving English Learners Well: Practical methods for assessment and intervention*. Alexandria City Public Schools, Alexandria, VA.
- Ortiz, S. O. (2002, March). *Developing Culturally and Linguistically Appropriate IEP Goals and Objectives: Guidelines and procedures for compliance*. Napa Valley Unified School District, Napa Valley, CA.
- Ortiz, S. O. (2002, February). *Comprehensive Assessment of Culturally and Linguistically Diverse Individuals: A systematic, practical approach to nondiscriminatory assessment*. Chicago Public Schools, Chicago, IL.
- Ortiz, S. O. (2001, October). *From General Education to Special Education: Culturally and Linguistically appropriate classroom instruction for English learners*. Kern County Consortium for Special Education, Bakersfield, CA.
- Ortiz, S. O. (2001, August). *Understanding Patterns of Academic Achievement for English Learners: What to expect and why*. Summer Institute—District 25 Training Grant and St. John's University, Jamaica, Queens, NY.
- Ortiz, S. O. (2001, January). *Application of CHC Cross-Battery Assessment in the diagnosis of Learning Disabilities*. Farmingdale Unified School District, Farmingdale, NY.
- Ortiz, S. O. (2000, November). *Testing and Interpretation of Reading and Writing for Dual-Language Learners*. Clinical Impact of Literacy: Helping teachers and students meet NYS ELA standards. American Guidance Service and St. John's University, New York, NY.
- Javier, R. A. (moderator), Gil, R. M., Rosas, M. Constantino, G., Rendon, M., Ortiz, S. O. & Rosa, D. (2000, October). *Health and Mental Health Issues. Immigrants from Latin America and the Caribbean: Coping in New York City*. Symposium sponsored by St. John's University's Committee on Latin American and Caribbean Studies. St. John's University, New York, NY.
- Ortiz, S. O. (2000, May). *Assessment of diverse children: Applying the cultural and linguistic extensions of the CHC Cross-battery approach*. Washington Elementary School District, Phoenix, AZ.
- Ortiz, S. O. (1999, November). *Special Education Service Delivery in the United States: Issues in the identification and education of children with learning disabilities*. Hokkaido Association for the Study of Developmental Disabilities in Children and Youth, Hokkaido University, Sapporo, Japan.
- Ortiz, S. O. (1999, November). *History and Overview of Special Education: Traditional and alternative perspectives in the assessment and identification of infants and children with disabilities*. Hokkaido Association of Mental Retardation and Developmental Disabilities. Obihiro, Japan.
- Ortiz, S. O. (1999, October). *Comprehensive Assessment of Culturally and Linguistically Diverse Children: A Systematic, Practical Approach to Nondiscriminatory Assessment*. Clark County School District, Las Vegas, NV.
- Ortiz, S. O. (1999, August). *From General Education to Special Education: Addressing the needs of culturally and linguistically diverse populations*. Nevada State Department of Education, Reno, NV.
- Ortiz, S. O. (1999, June). *Gf-Gc Cross-Battery Assessment: Addressing the needs of culturally and linguistically diverse populations*. Workshop sponsored by Psychological Consultants, Flagstaff, AZ.
- Kohrt, B. (moderator), Duncan, B., Leung, B., Ortiz, S., & Henry, B. (1999, March). *Assessment Practices: Straight from the Source--University Trainers and Directors of Special Education*. California Association of School Psychologists, Pasadena, CA.
- Ortiz, S. O. (1999, February). *Competent Bilingual Assessment: Issues in definitions, qualifications, and practices*. Fresno Unified School District, Fresno, CA.
- Flanagan, D. P. & Ortiz, S. O. (1999, February). *Selective Gf-Gc Cross-Battery Assessment: Addressing*

*the needs of culturally and linguistically diverse populations.* Washington Elementary School District, Phoenix, AZ.

- Ortiz, S. O. (1998, October). *Comprehensive Assessment of Culturally and Linguistically Diverse Children: A Systematic, Practical Approach to Nondiscriminatory Assessment.* Kern County Consortium SELPA, Bakersfield, CA.
- Ortiz, S. O. (1998, May). *Equitable Service Delivery for Culturally and Linguistically Diverse Children.* Second Language Department, San Diego City Schools, San Diego, CA.
- Ortiz, S. O. (1998, May). *From General Education to Special Education: Guidelines for Compliance in Serving Culturally and Linguistically Diverse Children.* Southwest SELPA, Torrance, CA.
- Ortiz, S. O. (1998, April). *Special Education Service Delivery in the United States: Issues in the identification and education of children with learning disabilities.* International Seminar on Learning Disabilities in collaboration with Nagoya University, Nagoya, Japan, Hokkaido University, Hokkaido, Japan, and California School of Professional Psychology, San Diego, CA.
- Ortiz, S. O. (1998, February). *Serving LEP Children in San Diego City Schools: Commitment to equity.* San Diego Unified School District, San Diego, CA.
- Ortiz, S. O. (1998, January). *Bilingual Education: The importance of primary language instruction in student achievement.* Gompers Middle School, Bilingual Advisory Committee, San Diego, CA.
- Ortiz, S. O. (1998, January). *Bilingual and General Education: Issues in the education of dual language learners.* Beaumont Elementary School, Bilingual Advisory Committee, Vista, CA.
- Ortiz, S. O. (1997, November). *Serving LEP students in San Diego City Schools: Guidelines for achieving equity.* San Diego Unified School District Bilingual Advisory Committee, San Diego, CA.
- Ortiz, S. O. (1997, October). *Bilingual special education: Compliance issues in collaboration, assessment, service delivery, and program placement.* San Diego Unified School District, San Diego, CA.
- Ortiz, S. O. (1997, September). *Bilingual, cross-cultural, non-discriminatory assessment: Issues, answers, and guidelines.* San Diego Unified School District, San Diego, CA.
- Ortiz, S. O. (1997, September). *Bilingual Special Education: Issues in compliance, assessment, placement, and service delivery.* Alhambra School District, Alhambra, CA.
- Ortiz, S. O. (1997, August). *Legal transformation of school psychology practice: Working smarter, not harder.* Long Beach Unified School District, Long Beach, CA.
- Ortiz, S. O. (1997, August). *Education and diversity: Guidelines for the development of culturally and linguistically appropriate goals and objectives.* California Education Innovation Institute, California Department of Education, San Francisco, CA.
- Ortiz, S. O. (1997, June). *Education And Diversity: Developing Effective Instructional Programs For Culturally And Linguistically Diverse Students.* Los Angeles County Office of Education, Juvenile Court/Community Schools and Division of Alternative Education. Los Angeles, CA.
- Ortiz, S. O. (1997, May). *Bilingual Special Education: Compliance Issues In Assessment, Placement, And Service Delivery.* Los Angeles County Association of Special Education Administrators. Los Angeles, CA.
- Ortiz, S. O. (1997, March). *Best Practices in Bilingual Assessment: Making use of what we have.* San Diego Unified School District, San Diego, CA.
- Ortiz, S. O. (1997, February). *Cultural and linguistic diversity: issues in assessment, service delivery, and*

- instruction of children with severe disabilities.* California Avenue School, Vista Unified School District, Vista, CA.
- Ortiz, S. O. (1996, December). *Re-evaluating the role of the Wechsler Scales in the Training of School Psychologists: Breaking up is hard to do.* Escondido Unified School District, Escondido, CA.
- Ortiz, S. O. (1996, August). *History and Overview of Special Education: Traditional and alternative perspectives in the assessment and identification of infants and children with disabilities.* International Seminar on Learning Disabilities in collaboration with Nagoya University, Nagoya, Japan, Hokkaido University, Hokkaido, Japan, and California School of Professional Psychology, San Diego, CA.
- Ortiz, S. O. (1996, August). *Cultural and linguistic issues in the education of Hispanic/Latino students.* California Education Innovation Institute, San Francisco, CA.
- Ortiz, S. O. (1996, July). *Pre-referral processes, interventions, and strategies for culturally and linguistically diverse children.* Vista Unified School District, Vista, CA.
- Ortiz, S. O. (1996, February). *History and Overview of Special Education: Traditional and alternative perspectives in the assessment and education of children with disabilities.* International Seminar on Learning Disabilities in collaboration with Nagoya University, Nagoya, Japan, Hokkaido University, Hokkaido, Japan, and California School of Professional Psychology, San Diego, CA.
- Ortiz, S. O. (1996, February). *Dynamic Assessment-for-Intervention: Alternative approaches in the assessment of intelligence and learning disabilities.* Parents of Students in Special Education (POSSE), Torrey Pines, CA.
- Ortiz, S. O. & Cassidy, M. (1995, November). *Assessment and Interpretation: Traditional and alternative approaches in the assessment of intelligence and achievement.* North Coastal Consortium for Special Education Parent Conference. Oceanside, CA.
- Ortiz, S. O. (1995, September). *Alternative Psychological Assessment: An ecosystemic approach to the assessment of culturally and linguistically diverse children.* Long Beach Unified School District, Long Beach, CA.
- Ortiz, S. O. (1994, February). *Theoretical foundations and Psychoeducational applications of the Kaufman Assessment Battery for Children (K-ABC).* Marusen Mates, Inc., Japanese Educators Tour of Special Education programs in the United States, Encinitas, CA.

## ELECTRONIC PUBLICATIONS AND WEB SITE DEVELOPMENT

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- Ortiz, S. O. (2002). CHC Cross-Battery Online. Available at <http://www.crossbattery.com/>
- Ortiz, S. O. (1998). *The SDSU School Psychology Homepage.* No longer available online (site was changed/updated in 2001).
- Ortiz, S. O. (1997). *Online Culture and Language Learning.* No longer available online (site was removed in 2000).
- Ortiz, S. O. (1996). *The Student Survival Kit.* No longer available online (site was removed in 2000).
- Ortiz, S. O. (1994). *The WWW School Psychology Homepage.* Inactive-held for historical purposes-was the 1<sup>st</sup> school psychology web page on the internet. Available at <http://facpub.stjohns.edu/~ortizs/>

## FUNDED RESEARCH GRANTS

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- Ortiz, S. O. (2010). Bateria Woodcock III: Pruebas de Habilidades Cognitiva y Aprovechamiento Materials Grant. Woodcock-Munoz Foundation. \$8700.
- Ortiz, S. O. (1998). Woodcock-Johnson Psycho-Educational Battery - Revised, Tests of Cognitive Ability Materials Grant. The Riverside Publishing Co. \$10,000.
- Ortiz, S. O. (1998). Enhancing cognitive assessment of culturally and linguistically diverse individuals: Application and use of selective Gf-Gc cross-battery assessment. Research, Scholarship and Creative Activity Award, College of Education, San Diego State University. \$2,200.
- Ortiz, S. O. (1997). Bilingual-bicultural Issues in Special Education Assessment: Establishing Professional Standards of Competency. Research, Scholarship, and Creative Activity Award, College of Education, San Diego State University. \$3,750
- Ortiz, S. O. (1996). Defining bilingual-bicultural competency in School Psychology: Are language and culture enough? Research, Scholarship, and Creative Activity Award, College of Education, San Diego State University. \$4,000
- Ortiz, S. O. (1995). On-line Culture and Language Learning: A technological approach to competency development. Technology Initiative Grant, College of Education, San Diego State University. \$1,500.

## OTHER PUBLICATION ACTIVITIES

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### Editorial Board

- *Psychology in the Schools*, 2011-present
- *Journal of Cognitive Education in Psychology*, 2009 – present
- *School Psychology Quarterly*, 2003 – present
- *Journal of School Psychology*, 2007 – 2008

### Ad hoc Reviewer

- *Journal of School Psychology*
- *School Psychology Quarterly*
- *School Psychology Review*
- *Journal of Clinical Psychology*
- *Contemporary Psychology*
- *Educational Evaluation and Policy Analysis*
- *The School Psychologist*
- *Journal of Clinical and Consulting Psychology*
- *Learning and Individual Differences*

## RESEARCH INTERESTS AND PROJECTS

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**St. John's University Collaborative Bilingual Research Project.** 09/07 – present. This ongoing research project is a joint, collaborative effort between faculty and students of the School Psychology Program at St. John's University and a local, urban elementary school with a significant ELL population. The purpose of the project is to explore the developmental cognitive, academic, and linguistic patterns for children in bilingual vs. ESL programs. The focus has been on evaluating assessment methods, alignment of individual vs. large-scale assessments, changes in cognitive development and academic functioning across the age and grade span, and the relationship between English language proficiency and academic and cognitive test performance. The Senior Project Director is Dr. Samuel O. Ortiz, the

Associate Director is Dr. Agnieszka Dynda, the Director of Data Collection and Supervision is Christine Perigen, M.S.

**Enhancing cognitive assessment of culturally and linguistically diverse individuals: Application and use of the CHC Culture-Language Matrix and selective CHC Cross-Battery Assessment methods.** This avenue of research is the major focus of my current investigative efforts and relates to the classification of intelligence tests and subtests according to two primary criteria: degree of cultural loading and degree of linguistic demand. According to the extant literature, these two factors have been identified as producing the true type of bias effects that influence the performance of children who are culturally and linguistically diverse on tests of intelligence. By classifying such tests according to a matrix comprised of the various combinations of these two variables (high, medium, and low), it is possible to select and administer tests to assess the broad range of cognitive abilities in diverse populations that might prove to be less biased and discriminatory. Application of the selective cross-battery approach combined with careful evaluation of the degree to which tests carry such cultural loading and linguistic demand, appears to be a promising method for controlling and reducing potential bias. By combining modern theory-driven assessment with logical and systematic procedures for producing more valid and equitable results, interpretation of the performance of diverse individuals on tests of cognitive ability is seen as more defensible than current methods.

**On-line Culture and Language Learning: A technological approach to competency development.**

This ongoing research project focuses on three particular objectives, 1) increased expertise in technology and its applications to instruction and scholarship in multicultural education and training for students and faculty; b) the application of appropriate technology to improve or transform teaching or research in multicultural education and training for students and faculty; and 3) expanded professional preparation of students so that they may apply technologies to enhance the success of all learners, especially ethnolinguistically diverse children.

**Defining bilingual-bicultural competency in School Psychology: Are language and culture enough?** The intent of this current research program is to carefully delineate the specific skills and competencies necessary for establishing guidelines for the definition, training, and perhaps certification of bilingual-bicultural school psychologists. The fundamental question to be addressed is whether or not simple language and culture matches with students are enough to define bilingual-bicultural competency.

## DISSERTATIONS MENTORED

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- |          |  |
|----------|--|
| Student: | Ewa Adamek (Defended Spring 2019)  |
| Title:   | <i>Concurrent Validity of the WISC-V VCI and the Ortiz PVAT with English Learners.</i>                       |
|          |  |
| Student: | Rosemary Devine (Defended Summer 2018)   |
| Title:   | <i>Developmental Implications of ELL Test Performance between Elementary and Secondary School Students.</i>  |
|          |  |
| Student: | Alberto Juan Ortiz (Defended Spring 2018)  |
| Title:   | <i>A Template for Spanish Trans-Adaptation of the Woodcock-Camarata Articulation Battery (WCAB-Spanish).</i> |
|          |  |
| Student: | Eunjin Lee (Defended Fall 2017)  |
| Title:   | <i>Toward and Achievement-based "True Peer" Reference Group for English Learners.</i>                        |
|          |  |
| Student: | Kristan Melo (Defended Spring 2016)  |
| Title:   | <i>Evaluation of ELL Subtest Performance on the WISC-V.</i>  |
|          |  |
| Student: | Melanie Vasquez (Defended Summer 2014)   |
| Title:   | <i>Cognitive Abilities in English Learners with Speech-Language Disorder.</i>                                |
|          |  |
| Student: | Victoria Kristal-Kotlyar (Defended Fall 2012)  |



- Title: *Examination of Differences in Anger Response in Russian and Russian-American College Students.*
- Student: Lisette Alvarez (Defended Fall 2011)  
Title: *Cultural and Linguistic Issues in Spanish Language Translations of Socio-emotional/Behavioral Rating Scales.*
- Student: Nazia Aziz (Defended Fall 2010)  
Title: *Patterns of Cognitive Performance for Culturally and Linguistically Diverse Individuals with Global Cognitive Impairment.*
- Student: Stacey Lella (Defended Spring 2010)  
Title: *Evaluating Speech-Language and Cognitive Impairment Patterns via the Culture-Language Interpretive Matrix.*
- Student: Scott Quasha (Defended Spring 2010)  
Title: *Evaluation of Gay-Lesbian-Straight Alliance Clubs in Junior High School Settings.*
- Student: Jesurasa Subashini (Defended Summer 2009)  
Title: *Attitudes and Beliefs Regarding Educationally-based Disabilities in South Asian Cultures.*
- Student: Michael Yoo (Defended Spring 2009)  
Title: *Validation of the CHC Culture-Language Matrix in a learning-disabled ELL population.*
- Student: Joanna Tychanska (Defended Spring 2009)  
Title: *Evaluation of Speech-Language Impairment using the Culture-Language Test Classifications and Interpretive Matrix.*
- Student: Ana Landron (Defended Fall 2008)  
Title: *Comparison of Dual Language and ESL Instructional Programs and Relationship to Ethnic Identity, School Membership, and English Language Arts Performance.*
- Student: Elena Beharry (Defended Spring 2008)  
Title: *Cultural and Linguistic Influences on Test Performance: Evaluation of alternative variables.*
- Student: Marlene Sotelo-Dynega (Defended Spring 2007)  
Title: *Cognitive Performance and the Development of English Language Proficiency.*
- Student: Khalid Brown (Defended Spring 2007)  
Title: *Emotional IQ in Autistic Children*
- Student: Ada Nieves-Brull (Defended Spring 2006)  
Title: *Evaluation of the Culture-Language Classification Matrix: A validation study on referred Anglo and Hispanic populations.*
- Student: Rosalinda Macaluso (Defended Fall 2006)  
Title: *Orthographic Processing in Reading: A method for differentiating fluent from dyslexic readers.*
- Student: Taryn Wallace (Defended Spring 2005)  
Title: *Assessment Practices in America: An analysis of current and future learning disability assessment practices employed by school psychologists throughout the United States.*

## **CURRICULUM DEVELOPMENT AND TEACHING INNOVATIONS**

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**Technological Applications to Instruction:** I have successfully blended many aspects of technology into instruction as a way of both improving delivery of information as well as a tool that enhances learning. Examples include:

- a) development of a hybrid online course in cultural diversity
- b) placing course materials and handouts online to allow students more convenient access to course information as needed;
- c) use of video projection equipment that allows presentation of computer-generated material, such as with Microsoft PowerPoint;
- d) use of the Internet and online communications technology to promote and enhance competency development;
- e) use of spreadsheets to assist students in performing assigned tasks such as statistical calculations;
- f) use of online resources to add to students learning by taking advantage of information available via the World Wide Web;
- g) and use of email as an adjunct to office hours and to assist in broadening and deepening class discussions or the provision of feedback to students.

**Site-based Instruction:** As part of a new philosophy and commitment by the School Psychology faculty, course instruction in critical areas such as assessment has been moved away from the university setting and into the actual school environment. By forming partnerships with local elementary and secondary schools, we have created the opportunity for students to receive closer supervision and perform activities that are rooted in the real context in which they will ultimately occur. Currently, I have developed syllabi and designed course instruction and activities for four different courses which provides students with direct, "real world" experience in the practice of school psychology in today's schools.

**The Student Survival Kit:** A collection of resources available over the World Wide Web that can be accessed as needed by students to retrieve course materials for a variety of different classes offered in the program. The entire "Kit" is no longer available online.

**The Tool Kit:** A collection of informal assessment "tools" comprising a variety of techniques including observation, interview, checklists, and measures of achievement. It is now part of the "golden ticket," a CD-ROM distributed to students in current courses being taught at St. John's, in particular Psy761/762: Psychoeducational Assessment Practicum.

**School Psychology Service Delivery Organizer:** An automated spreadsheet program used to document, track and analyze service delivery in the field, including 2<sup>nd</sup> year practicum, 3<sup>rd</sup> year externship and internship, 4<sup>th</sup> year externship, and the capstone 5<sup>th</sup> year internship. Can also be used professionally after graduation. Used by all students in the School Psychology Program.

**The Assessment-for-Intervention Report:** Model report for the organization and presentation of assessment data in compliance with legal mandates and for the purposes of designing appropriate instructional programs. It is now part of the "golden ticket," a CD-ROM distributed to students in current courses being taught at St. John's, in particular Psy761/762: Psychoeducational Assessment Practicum.

**Ecological Organizers:** Templates for assisting in the collection and organization of ecological data for improving the learning of children in the schools. It is now part of the "golden ticket," a CD-ROM distributed to students in current courses being taught at St. John's, in particular Psy761/762: Psychoeducational Assessment Practicum.

**Computer Program for t-tests:** An automated spreadsheet program used to calculate both dependent and independent t-tests. Used for Psy659 Measurement and Scaling.

**Case Study Grading Rubric:** A scoring rubric designed to promote student's understanding of the components of effective case reports and provide an efficient, and more objective method of evaluating student's work.

**Bilingual General Education and Bilingual Special Education:** A brief resource manual (of sorts) for educators of Hispanic (and other) ethnolinguistically diverse students: A collection of readings to supplement core issues in bilingual-bicultural school psychology study.

## PROFESSIONAL ASSOCIATION MEMBERSHIP

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American Psychological Association

Division 16, School Psychology

Vice President for Professional Affairs (2003-2005)

Committee on Psychological Tests and Assessment, 3<sup>rd</sup> term (2011-2013)

Chair, CPTA (2013)

Committee on Psychological Tests and Assessment, 2<sup>nd</sup> term (2009-2010)

Committee on Psychological Tests and Assessment (2005-2007)

Coalition for Psychology in Schools and Education (2006-2007)

Coalition for Psychology in Schools and Education, 2<sup>nd</sup> term (2010-2011)

Coalition for Psychology in Schools and Education, 3<sup>rd</sup> term (2011-present)

Presidential Task Force on Educational Disparities for Ethnic Minorities (member, 2010-2012)

Society for the Study of School Psychology (elected to membership in 2007)

National Association of School Psychologists

National Association for Bilingual Education

New York State Association for Bilingual Education

## UNIVERSITY AND COMMUNITY SERVICE

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### SERVICE FOR THE UNIVERSITY

#### *Committee Assignments*

#### **St. John's University**

Institutional Review Board, 2011 – present

Program Review Committee, 2009-2010

Middle States Technology Sub-Committee, 2004 – 2007

Committee for Latin American and Caribbean Studies (CLACS), 2000 – present.

Online Learning Committee, 2001 – 2003.

#### **St. John's University, Department of Psychology**

Minority Student Recruitment, Admissions, and Retention Committee, 2003 – present.

Departmental web site developer and site administrator, 2001 – present.

#### **SDSU Department of Counseling & School Psychology:**

School Psychology Program Committee, 1994-1997

School Psychology Faculty Committee, 1994-1997

Research Committee, 1996-1997

#### **SDSU College of Education:**

Resource Allocation Committee (Chair), 1997

Technology Initiative Committee, 1995-1997

#### *Teaching Awards*

**Outstanding Faculty Award:**

SDSU School Psychology Program, College of Education, 1999

**Outstanding Faculty Award:**

SDSU School Psychology Program, College of Education, 1998

**Certificate of Appreciation:**

SDSU School Psychology Student Association, 1997-98

**Certificate of Appreciation:**

SDSU School Psychology Student Association, 1996-97

*Miscellaneous Service*

**Faculty Advisor:**

Student Association of School Psychology, St. John's Chapter, 2001 – present.

**Faculty Advisor:**

Pi Lambda Theta, International Education Honor and Professional Society, Beta Beta Chapter, SDSU 1999

**Faculty Advisor:**

SDSU School Psychology Student Association, 1999

**Faculty Advisor:**

SDSU School Psychology Student Association, 1998

**School Psychology Program:**

Design, development, and maintenance of the program homepage.

Available at <http://edweb.sdsu.edu/CSP/sp/>

**SDSU Department of Counseling and School Psychology:**

Design, development and maintenance of the department homepage.

No longer available online (site changed/updated)

**SERVICE AND ADVOCACY FOR THE COMMUNITY**

*Committee Assignments*

**New York State Bilingual School Psychology Support Center Advisory Panel**

Member, appointed 2007, presently serving

**New York State Committee of Practitioners on English Language Learners and Limited English Proficient Students:**

Member, appointed 2007, presently serving.

**San Diego County Office of Education:**

Hispanic Academic Achievement Project, Evaluator, 1998-1999.

**San Diego Unified School District:**

Task Force for the Development of the Special Education Master Plan for English Learners, 1997-1999

**California Department of Education, San Diego County Office of Education, and Department of Education, Baja California, Mexico:**

The California's Project, 1997-1998

**Center for Educational Advancement:**

Steering Committee, 1996-1997

**North Coastal Consortium for Special Education:**

Hispanic Academic Achievement Project, Evaluator, 1995-1997

*Other Service*

**Consultant:**

The National Board of Medical Examiners, Office of Test Accommodations, assisting in the evaluation of requests for test accommodations through review of documentation submitted to verify the presence of a qualifying disability. 1999-present.

**Webmaster and Creator:**

The WWW School Psychology Homepage, the first site published on the web (December, 1994) devoted exclusively to the needs of school psychologists and allied professionals. Available at <http://facpub.stjohns.edu/~ortizs/>

**Webmaster and Creator:**

The Online Culture and Language Learning Homepage, devoted to the exploration of electronic methods for enhancing culture and language learning. Available at <http://facpub.stjohns.edu/~ortizs/ocll.html>

## **AWARDS, HONORS, DISTINCTIONS**

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Trainers of School Psychologists (TSP) Outstanding Trainer of the year Award, 2019  
Catalyst Scholar, SSSP School Psychology Research Collaboration Conference, 2013  
Election to Membership in the Society for the Study of School Psychology (SSSP), 2008  
Outstanding Faculty Award, SDSU College of Education, School Psychology Program, 1999  
Outstanding Faculty Award, SDSU College of Education, 1998  
Pi lambda Theta, International Education Honor and Professional Society, 1994  
Outstanding Young Man of America, 1987  
Presidential Scholar, University of Southern California, 1976  
Honors at Entrance, University of Southern California, 1976  
Who's Who Among America's High School Students, 1976  
Valedictorian, Oceanside High School, 1976



## REFERENCES

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**Salvador Hector Ochoa, Ph.D.**

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# EXHIBIT B

Date: 15 March 2019

To: Catherine Farmer, Manager, Disabilities Services and ADA Compliance Officer

From: Samuel O. Ortiz

Re: Consultation Evaluation

This review concerns Brendan J. Berger who is requesting reconsideration of a prior denial for accommodations on Step 2-CK of the USMLE and as indicated in a letter to the NBME dated February 14, 2018. This recent denial followed a previous denial for accommodations submitted by Mr. Berger in December 2013 for Step 1 of the USMLE. Despite being denied accommodations for Step 1, it appears that Mr. Berger took and passed the exam and then later submitted a similar request for accommodations for Step 2-CK and Step 2-CS in 2015. That request was subsequently denied and, according to a recent letter from his attorney, Phyllis Brown, Mr. Berger took both exams and did pass the Step 2-CS but not the Step 2-CK. Accordingly, Mr. Berger's current request for accommodations remains centered on Step 2-CK of the USMLE as described in his letter and one by his attorney both of which are dated February 14, 2018, and as indicated by his Accommodations Request Form dated February 24<sup>th</sup>, 2018.

In his request for accommodations for Step 2-CK, Mr. Berger indicates that he is basing it on impairments listed specially as "215.00 Reading Disorder, Severe" which is noted as first being diagnosed in 1992, "315.20 Disorder of Written Expression, Severe" also indicated as having first been diagnosed in 1992, and "314.00 ADHD, Inattentive Type, Moderate" which is noted as having first been diagnosed in 1994. Mr. Berger's request for accommodations on Step 2-CK is listed specifically as "Additional break time over 2 days" and "100% Additional test time (Double time) over 2 days." In addition to his application requesting accommodations, Mr. Berger has submitted various supporting documentation which includes:

Step 1 Request Form

Consultant Review

Personal Statement

Personal Statement

School Records (elementary, middle, and high school) - Student Skills Analysis 5/94

School Records (elementary, middle, and high school) - Iowa Test of Basic Skills 10/97

School Records (elementary, middle, and high school) - Student Skills Analysis 5/96

School Records (elementary, middle, and high school) - Student Skills Analysis 5/95

College Records - Univ. Cincinnati transcripts

Medical School Records - American University of Caribbean Transcripts

Medical School Records - Student Summary Sheet

Test Scores (MCAT, GRE, SAT, etc.) - SAT score report 1/24/04

Test Scores (MCAT, GRE, SAT, etc.) - PSAT

Test Scores (MCAT, GRE, SAT, etc.) - MCAT score report 9/10/09

Test Scores (MCAT, GRE, SAT, etc.) - MCAT score report 9/9/10

Evaluations - Speech/Lang. Eval: Collins, S. '92

Evaluations - Psych. and Educ. Re-Eval 2017 part 2

Evaluations - Psych. and Educ. Re-Eval 2017 part 1

Evaluations - Beach, C. 7/5-6/2013 part2 of 2  
Evaluations - Beach, C. 7/5-6/2013 part 1 of 2  
Evaluations - Beach, C. 6/3/10  
Evaluations - Smith, A. 3/2010  
Evaluations - Smith, A. 6/2008  
Evaluations - Smith, A. 1/2003  
Evaluations - Artner, J. 3/1994  
Attorney Letter - Brown, P. 2.14.18  
Step 2 CK Request Form - /CPTA/Person. State.  
Step 2 CK Request Form - Updated  
Multi Step Request Form - 2 CK, 2 CS  
E-mail - from: DS 4/4/14  
Testing Accommodation Records - CPTA  
Testing Accommodation Records - CPTA  
Testing Accommodation Records - Accommodation Letter - Med School 5/21/13  
Testing Accommodation Records - College Board Accommodation Letter 11/2003  
Letters from Individuals/other supporting doc. - Kagy, J. 3/28/07  
Letters from Individuals/other supporting doc. - Beach, C. 12.9.17  
Letters from Individuals/other supporting doc. - Saenz, D. 1/7/15  
Letters from Individuals/other supporting doc. - Beach, C. 1/29/15  
Letters from Individuals/other supporting doc. - Beach, C. 3/31/14  
Letters from Individuals/other supporting doc. - College Board Accom. Letter 4/10/09  
Letters from Individuals/other supporting doc. - Southern, M. 4/30/09  
Letters from Individuals/other supporting doc. - MCAT Accom. Denial Letter 10/28/09  
Letters from Individuals/other supporting doc. - Huth, M. 5/28/10  
Letters from Individuals/other supporting doc. - Berger, M. 6/5/10  
Acknowledgement Letter  
Decision Letter (approval and denial) - denial  
Decision Letter (approval and denial) – denial

Although Mr. Berger's request for accommodation is based, at least in part, on an impairment listed as "ADHD, Inattentive Type, Moderate," the focus of the current review will be based on whether the evidence supports the provision of accommodations solely on the basis of his listed learning impairment in the areas of reading and written expression. That is, the purpose of this review is determine whether the submitted documentation supports Mr. Berger's claim regarding a learning disability in the areas of reading and writing, and, if so, whether the requested accommodations are reasonable and appropriate. Therefore, the analysis, conclusions, and recommendations provided in this review are presented only from this perspective and should not be construed as having any direct bearing on the merit of his request for accommodations with respect to this additional impairment he has indicated in his request form.

Because Mr. Berger's request is accompanied by a supporting letter from an attorney, it may be helpful to review the arguments presented therein which are intended to support his reconsideration request. A review of the letter indicates somewhat of a chronology of events but is also populated frequently with what seems to be a relative lack of understanding regarding specific learning disability on the part of Attorney Brown. For example, according to the letter,

when Mr. Berger “entered high school” he “was found to have a disability and qualified for continuation of his elementary school accommodations.” This seems to be consistent with the fact that Mr. Berger listed the dates of initial diagnosis for learning disabilities as being in 1992 when he received a speech-language evaluation. However, the documentation contradicts the accuracy of this statement in that there is no such diagnosis offered in that evaluation and a formal diagnosis of learning disability is not offered until he was evaluated by Dr. Smith in 2003 at the age of 17 when he presented for “considerable difficulty with timed tests” only and not for any specific learning problems. Even then, based on his findings, Dr. Smith only “suggested” a learning disorder in the area of written language and did not indicate that his opinion was definitive given that Mr. Berger did not seem to meet necessary criteria for it. To that end, Dr. Smith actually broached the possibility of “overriding” the criteria necessary to identify a learning disability in Ohio to allow Mr. Berger to be granted accommodations anyway—an admittedly dubious manner of providing them when a student does not meet necessary criteria for doing so. Moreover, there is no history that Mr. Berger had any such “elementary school accommodations” and that he was actually in a gifted program in elementary school and never in special education and much of his early schooling, from 2<sup>nd</sup> to 4<sup>th</sup> grade, is indicated as having been home-based. Attorney Brown further adds, “At a later point in high school, however, his disability was determined to be more severe and he was granted special education services through IDEA.” As noted, there had been no formal disability up to that point and the diagnosis was offered merely as a suggestion, not a defensible conclusion and if Mr. Berger was granted accommodations at that time, it was not on the basis of any existing or prior diagnosis of learning disability (due to not meeting State criteria), but rather done apparently and primarily as a way of facilitating extra time on the SAT. For example, rather than promoting special education services pursuant to a learning disability, Dr. Smith’s report only indicates that “consultation with ACT/SAT officers for accommodations for extra timed [sic] appears appropriate” despite clearly stating that “the discrepancies between intellectual ability and achievement do not fulfill current Ohio guidelines for an LD placement or assistance.” Thus, if such accommodations were granted, they clearly were not warranted and were given for reasons other than the presence of a learning disability.

Attorney Brown’s grasp of what constitutes a disability is also very tenuous as illustrated by the statement in her letter that “All of his achievement tests...were administered with unlimited time for work completion, including those for written expression” and that this “explains why his grades were high.” It would likely explain why any student’s grades were high irrespective of whether they possessed a disability or not. In addition, she notes that “Mr. Berger’s Specific Learning Disorder involves reading, spelling, and written expression in all subject areas, primarily manifesting in very slow processing speed.” The fact that the logic here is completely backward may have escaped Attorney Brown’s notice, and the reality is that it would be a slow processing speed that would be the *cause*, not the *manifestation* of a learning disability and not the other way around. Yet another example of Attorney Brown’s misunderstanding regarding the nature of a learning disability is evident in the statement that “for written expression, limitations in the basic-skills of spelling and grammar are clinically remarkable.” First, spelling plays an exceptionally small role in actual written expression, particularly with the ubiquity of spell-checking mechanisms embedded into word processors and other technology as well as the fact that English spelling is highly irregular from a phonetic perspective anyway. Second, and more importantly, difficulty with grammar would more likely



implicate a language-based learning problem, not a problem in written expression. Given that there is no indication throughout the documentation of any such language-based issue, there is precious little evidence that Mr. Berger has any type of difficulty in written expression that represents a manifestation of an underlying cognitive processing problem even when evaluated in high school

Much is also made by Attorney Brown regarding the fact that Mr. Berger's performance is better under un-timed conditions than timed conditions. Again, she may be wholly unaware that this is true for most people, both with and without learning disabilities, and is in no way suggestive of a learning problem. Thus, when Attorney Brown states, "Mr. Berger consistently scores lower on time-limited tests than on extended-time tests" and that "his score for the time-limited test is significantly lower than the unlimited-time test score, showing the severe negative impact of a time-limit on his opportunity to demonstrate knowledge and ability" she is again, perhaps unknowingly, illustrating the very reason why time is used in testing—that is, to differentiate performance among individuals who would otherwise be indiscernible in ability if given extended or unlimited time. Psychometricians have chosen deliberately to use time in this manner to prevent scores from forming a negatively skewed distribution in which it would be difficult, if not impossible, to establish meaningful differences in performance at the higher level. Thus, by timing a test, it is not limiting an individual's ability to "demonstrate knowledge and ability" but rather normalizing the amount of knowledge that can be demonstrated within a period of time that will permit reliable differentiation of performance between and among individuals. In short, comparing performance on timed tests to untimed tests does not reveal the presence of a learning disability and there is no empirically supported basis for claiming so. Rather, the use of time represents only a requirement necessary to establish an acceptable level of measurement reliability for a given test and nothing more. In addition, none of the evaluators or Attorney Brown seem to recognize that there is a strong likelihood that Mr. Berger has, over the years, merely learned to take his time even when being timed. The fact that he was "granted disability accommodations throughout high school, college, and medical school, including on the SHELF exams" suggests that he may well have learned that it is not essential for him to be quick or efficient or concerned with typical time constraints. Thus, when he is not granted accommodations, such as "on the MCAT, CCSSA, and NBME exams" the fact that he scores lower may be simply a reflection of a "lifetime history of accommodations" characterized by a fortunate exemption from worries regarding time and time limits.

Given the centrality and importance of establishing early difficulties in the development and acquisition of basic academic skills when considering the diagnosis of a specific learning disability, it is necessary to carefully review this period of time in Mr. Berger's life and examine it closely. According to his personal statement, as included with his request for accommodations, Mr. Berger states that "by the first grade, I already had difficulty with reading and writing." He claims that his difficulties were so bad that he was "sent down to the boiler room where some desks were kept for 'bad' students" and that he was "placed in the group of kids who were 'slackers.'" One might surmise from these descriptions that Mr. Berger was already experiencing the kind of academic problems that could support learning problems except that he also notes, almost ironically, that "to add to my confusion, I was in the Science-Enrichment pull-out program for gifted students and did well in that class." The fact that he was in any type of enrichment for gifted students suggests that he had been identified as being both of exceptional

cognitive ability *and* academically talented. The educational and curricular demands of gifted programs are such that schools intentionally seek out students who are both mentally capable and academically precocious before placing them in such highly demanding circumstances. Were Mr. Berger viewed as academically “bad” and as a “slacker,” his entry into such a program clearly would have been precluded or else, after entry, his tenure in it would certainly have been brief. That he was placed, strongly suggests that despite his recollections, Mr. Berger was viewed by his elementary school as an exceptionally competent and capable learner, not as a student who was unable to handle even the basic learning demands in a standard, general education classroom.

Mr. Berger goes on to state that by the “end of 1<sup>st</sup> grade, despite working with a private reading tutor at home, I was not able to read.” He indicates that his parents decided to school him at home for the next 3 ½ years and that he returned to public education for 5<sup>th</sup> grade. Unfortunately, Mr. Berger does not provide any further information about this time frame other than to state that his mother used the time to teach him “how to read using phonics” before sending him back to 5<sup>th</sup> grade. However, there is a speech-language evaluation that was conducted when he was 6 ½ years of age by Sharon Collins, M.S., C.C.C. Although Ms. Collins noted that there was some “delayed receptive language abilities” there is no indication that she found problems in reading or that there might be a learning disability present. In addition, she did not discuss how it was that his receptive language could lag so far behind his expressive language when typically, the reverse is found. One possible explanation can be seen in the pattern of scores where the difference in performance that Ms. Collins alludes to is likely caused by a single extreme outlier score of 17 on one of the subtests (Recalling Sentences) that feeds into the Expressive Language Score. The other scores ranged from 7 (on three subtests) to 10 and 11 on the other two which indicates more even development in receptive vs. expressive language. Interestingly, Ms. Collins suggests that Mr. Berger displayed “delayed written language skills” when, in fact, she never measured his written language skills, apart from asking him to remember letters and then write them down. The Letter Sequences task from the DTLA-2 that was administered relates more to visual memory than it does written expression and is a very curious test to have been administered as the DTLA-2 is purported to be a cognitive ability measure and not something that speech-language pathologists use often or in which they receive training. More curious is that it is the only subtest from the DTLA-2 that is reported and why it was selected specifically among all the other available subtests on the DTLA-2 is left unexplained. Overall, the evaluation by Ms. Collins does not provide any useful information regarding whether Mr. Berger may have had any learning difficulties in the area of reading or writing, perhaps because Ms. Collins was a speech-language pathologist, not a psychologist. At best, Ms. Collins suggests possible language issues but even then, the diagnosis appears rather tenuous and is a bit undermined by a more careful examination of the scores which reveals relatively average or better functioning overall. Of more significant concern, however, is the fact that Ms. Collins was either unaware of or simply failed to ask and consider the fact that the Berger home is not monolingual, and that English is not the only language spoken in the home. This fact is not indicated at all in her report and only appears later as documented by Ms. Artner and Dr. Smith. According to the report of evaluation provided later by Ms. Artner, “it should be mentioned that French is often spoken in the home. It was reported that Brendan understands French but does not speak it.” This factor alone has enormous implications for any evaluation conducted on Mr. Berger and the fact that Ms. Collins neither mentioned it nor considered it,

serves to greatly undermine the validity of her conclusions and is of vital importance to any notions of learning disability which will be discussed later. Moreover, this evaluation appears to be the basis of the mistaken impression that Dr. Beach harbors later on where she suggests that Mr. Berger “was diagnosed with a language-based learning disability.” Not only is the factually incorrect, it also erroneously alludes to a learning disability instead of what had been considered possibly a language disorder.

At the age of 8 years, 7 months, during the time when Mr. Berger’s mother was presumably teaching him how to read, an evaluation was conducted by Jeanne Artner, who indicates her credentials only as “psychologist” and “licensed psychologist” neither of which can be assumed to indicate definitively that she possesses a doctoral degree, although she most likely does. With all due respect, the ambiguity, however, is enough to warrant limiting references to her title in this review only as “Ms.” rather than as “Dr.” In her report, Ms. Artner indicates that the reason for referral was “to determine if Dyslexia or some other specific problem was underlying his ‘trouble with reading.’” Presumably, the use of the quotations around “trouble with reading” are used to reflect the concern of the parents’ rather than suggest a somewhat incredulous tone on the part of the evaluator, especially in light of the scores.

According to the report of evaluation, Mr. Berger was given WJ-R Tests of Achievement and on subtests related to reading he obtained SS=94 (Letter Word Identification), SS=94 (Passage Comprehension), SS=117 (Word Attack). On the only subtest administered that measures early writing development (Dictation), he obtained a SS=92. In addition, and in contrast to what Ms. Collins had reported, his performance on Sentence Imitation (PR=95) and Word Sequences (PR=75) on the DTLA-2 was extremely high. Based strictly on these scores, the only reasonable conclusion that can be drawn is that by the age of 8, Mr. Berger was both reading and writing at a level that was comparable to that of other children of the same age in the general population. None of these scores or the pattern of performance he displayed suggests in any way that he was having trouble in the acquisition or development of basic reading and writing skills. What did seem to capture Ms. Artner’s interest was the difference between Mr. Berger’s cognitive abilities (FSIQ=132) and his academic skills, which, while being in the “average range” were also characterized incorrectly as being “on a second grade level.” Of course, given the fact that he was only in 3<sup>rd</sup> grade anyway, that should not have been much of a concern and was a very misleading way of describing performance. Thus, it was the perceived “severe discrepancies” that prompted her to claim that they “could lead to him being classified as a student with learning disabilities.” Such a claim belies a solid and defensible understanding of learning disabilities because simple, mathematical discrepancies between ability scores and academic scores are a wholly insufficient basis with which to claim a learning disability and this method for doing so has been roundly discredited by research when used by itself, as was done in this case. In fact, one of the major reasons why this method has been discredited is evident in the pattern of scores used to examine such differences—the discrepancy occurs between scores that are *both* average or higher. Thus, to suggest that a learning disability is implicated simply by the presence of a discrepancy ignores the fact that the very definition of disability implies performance that *is not commensurate* to the average person in the general population. At that time, Ms. Artner states specifically that his academic skills were normal and that Mr. Berger “earned average range standard scores.” Thus, one does not become learning disabled merely by comparing one’s own scores to one’s self and finding that they differ. More considerations and

criteria must be met and that was not accomplished in this case as there is no attention at all given to the fact that both scores represented “average,” not deficient, academic performance in reading and writing.

Curiously, despite hinting at the presence of a severe discrepancy, Ms. Artner does not actually provide any indication that Mr. Berger has or might have a learning disability. Indeed, in her recommendations section she states rather perfunctorily that “once Brendan’s reading skills have advanced he should be encouraged to undertake much independent study and many projects.” Such a statement reinforces Ms. Artner’s belief that Mr. Berger was a more than capable learner and that his “advancement” in reading was achievable and consisted of going from being an “average” reader to a superior reader. But as noted previously, merely being an average reader, even in the presence of high intellectual ability, does not make one learning disabled in any way. It also seems very likely that the apparent desire to improve what was already “average” reading and writing skills may well have stemmed primarily from parental expectations rather than from actual performance deficits. Ms. Artner noted that “Brendan’s father has been self-employed as a Plastic Surgeon,” that “his mother, with a college degree, taught junior and senior high school while residing in France,” and that he “had attended three years of preschool education, some of which was in a Montessori program.” It is not unreasonable to conclude that displaying only “average” academic progress in reading and writing when one has a physician for a father, a high school teacher with a college degree for a mother, and as much early preschool education as possible, is unlikely to be met with much approval or acceptance. Indeed, Ms. Artner stated that “Mrs. Berger noted, ‘He tries very hard with minimal results in the area of reading/writing.’” Of course, “minimal” in this case is taken to mean “only average” performance and indicates that even Ms. Artner was viewing average performance as being insufficient in terms of expectations for Mr. Berger. One can see the pressure to do better become more evident in observations by Ms. Artner where she notes that “throughout both sessions he looked toward his mother frequently” and that he “put forth much effort into everything presented to him” but “needed to approach the academic work in a slow, halting manner, and he seemed to fatigue easily.” In later evaluations, Dr. Smith notes that he “experienced tension and conflict around learning” and “anxiety around learning difficulties developing at that time.” Mr. Berger’s own comments where he states that he was seen as “bad” and as a “slacker” and Ms. Artner’s report that “he was a very likable child who obviously wanted to succeed” all support the premise that he was not doing as well as was expected of him—despite actually doing well in comparison to most other children of the same age, including those who had an early (but not permanent) advantage over him facilitated by having to learn English only.

Mr. Berger’s next evaluation occurred in 2003 at the age of 17 years, 5 months and was performed by Dr. Alexander Smith. At this point, perhaps the most important variable regarding a learning disability in this case comes out once more in a more direct way wherein Dr. Smith is the first person to state outright that Mr. Berger “has grown up in a bi-lingual family.” This important facet of his development, however, remains unexamined and does not surface in any of the subsequent discussions in any evaluation conducted afterwards. Despite the paucity of information in this regard and the complete disregard of its importance in evaluating Mr. Berger’s academic development and educational progress, as well as in the standardized testing he has repeatedly undergone, what this simple fact reveals is perhaps the most straightforward,



direct, and reasonable explanation for the patterns seen in his educational history and repeated test performances. In fact, its significance is such that there is no further necessity in attempting to parse the data relative to supporting or not supporting a learning disability in the myriad subsequent evaluations that were conducted on Mr. Berger because they all, invariably and along with the early evaluations, fail to consider and reconcile the comparison of a bilingual individual's performance to tests with norms established on monolingual English speakers. It is especially telling that in his review for the NBME regarding Mr. Berger's prior request for accommodations, Dr. Lovett noted that the "case is an unusually complicated one." Dr. Lovett astutely noted that "there are scattered early signs of delays in cognitive and academic skills in childhood (including slow test-taking speed), but most of the documentation suggests average skills that (rightfully) failed to yield diagnoses until accommodations were desired on the MCAT and now on the USMLE, at which point Drs. Smith and Beach began to make formal diagnoses and alter the historical record to suggest that disabilities had always been present." Any review, even a very considered one as performed by Dr. Lovett, of the wealth of information and documentation provided by Mr. Berger would very likely lead to similar thoughts, especially regarding the nature of what appears to be conflicting or widely disparate findings and observations. That is, further analyses of the obtained test results would be unlikely to change the fact that Mr. Berger showed no early history of learning disabilities and that later evaluations have mischaracterized early findings in blind support of their favored diagnoses. But when all the data, from the earliest anecdotes and testing to the very latest and most recent evaluations, are viewed through the lens of the process of first and second language acquisition, the argument against a learning disability becomes significantly clearer and far more compelling.

Attorney Brown indicates that "every evaluation of Mr. Berger beginning with his 1994 evaluation by Dr. Artner...conclude that Mr. Berger has a learning disability that affects his reading and comprehension." However, Mr. Berger indicates his learning disabilities in reading and written expression (which was not specifically noted by his attorney) were first diagnosed two years earlier in 1992 according to his Accommodations Request Form. Actually, neither of these dates are correct as the first suggestion of, not even an actual, diagnosis of a learning disability is not presented until the evaluation by Dr. Smith in 2003 when Mr. Berger was a junior in high school. At that point, Dr. Smith only notes "Suggested diagnosis: Learning Disorder of Written Language 315.2 (DSM-IV)" which he seems to give somewhat reluctantly based on a prior discussion in his report where he demonstrates great equivocation. In the section titled, "The Question of Learning Disability" Dr. Smith notes that "arguably, a case could be made for a learning disability in the area of written language based upon the discrepancy analysis described above, *but the discrepancy scores do not meet the State of Ohio educational guidelines*" (emphasis added). Dr. Smith notes that an IEP team could conceivably "override" the guidelines and provide "possible qualification for special education assistance" but he is mistaken in this regard as IDEA specifically prohibits the providing of special education services solely on the basis of academic need and in the absence of a qualifying disability. That is, it is illegal to provide special education services unless a student needs it and possesses a disability that meets the necessary qualification and identification criteria—which Mr. Berger did not. Dr. Smith further states that "this option for seeking an LD qualification, while "legal" [again, it is illegal, not "legal"] may not be very practical or useful given the overall context of Brendan's current level of functioning." Clearly, Dr. Smith is attempting to dissuade the reader away from



any notion of specific learning disability and argues instead in favor of “the most expedient path would appear to be specific academic coaching around composition.”

The recommendation by Dr. Smith is a very significant in many ways. Not only does it argue against attempts to consider Mr. Berger as having a learning disability, it also meshes perfectly with the notion that Mr. Berger’s perceived and actual difficulties in learning are not rooted in a lack of ability and that they can be effectively remediated. Thus, Mr. Berger’s claimed slowness in reading and writing are not explained by an intrinsic, lifelong impairment in learning, but rather by what appears to be some type of educational circumstance. And despite being the first to note that Mr. Berger was indeed raised in a bilingual home, Dr. Smith does not connect this to his findings in any way and leaves the door open for speculation about specific learning disability rather than pushing it toward what he actually seemed to intuit—that Mr. Berger is a capable learner and merely needs instruction. When Mr. Berger’s bilingual status is layered on top of this premise, everything comes together in a cohesive and obvious manner which provides a far more plausible and definitive answer about why he has displayed apparent difficulties in reading and writing development that have in some ways, but not others, mimicked a learning disability.

Following his junior year in high school, Mr. Berger was evaluated in 2008 (by Dr. Smith where the first formal diagnosis of learning disability is rendered—in written expression but not reading), 2010 (an addendum by Dr. Smith where he shifts his focus to exploring dyslexia but does not offer a diagnosis of learning disability in reading), again in 2010 (by Dr. Beach where a reading disorder is first formally diagnosed as being severe—despite going unmentioned in all previous evaluations—in a 30 page report), 2013 (by Dr. Beach as described in a 90 page report), and 2017 (by Dr. Beach in another 57 page report). In most cases, this review would need to detail the aspects of each of these evaluations in relation to their support or lack thereof, for a learning disability. This process has been rendered moot, however, because a review of these evaluations (and the ones that preceded them), reveals that not a single one accounted for the fact that Mr. Berger was tested and evaluated and diagnosed as if he were a monolingual, native English speaker when in reality he was not. Much as has already been discussed, the failure to account for and interpret results in the context of Mr. Berger’s bilingual experiences and development serves to effectively invalidate the meaning that has been ascribed to the scores presented in each evaluation as well as the interpretations and diagnoses upon which they were predicated.

It is not clear who in the family speaks French often because the information provided is minimal and somewhat ambiguous. For example, in Ms. Artner’s report, she noted that “it should be mentioned that French is often spoken in the home. It was reported that Brendan understands French but does not speak it.” Claims that an individual “understands” a language but “does not speak” it often represents an unintentional downplaying of developmental proficiency. That Mr. Berger could even understand spoken French suggests a not insignificant amount of exposure to and experience with the language. Moreover, it is likely that while his receptive vocabulary in French was greater than his expressive vocabulary, this does not mean that he was not able to speak French, but only that it was not comparable to his ability to comprehend it. Either way, his receptive skills clearly implicates the presence of a great deal of exposure to and experience with French that cannot be dismissed in any way as being of little relevance or insignificant. And

while this limited information does not reveal whether one or both parents spoke French to Mr. Berger as he was growing up, it does demonstrate clearly that French was not a minor consideration or an occasional language diversion in the home. It was, as noted, “often spoken” which implies that a large portion of Mr. Berger’s early language development was occurring in French, as much as it was also occurring in English. Ms. Artner further noted that Mr. Berger’s mother possessed “a college degree, taught junior and senior high school while residing in France.” Again, there is some ambiguity here that does not make it possible to definitively ascertain whether one or both parents were speaking French in the home, but the statement seems to imply to some extent that it was perhaps his mother, given that teaching at the junior and senior high school level in France certainly requires an exceptionally advanced command of the language—one which she may well have acquired natively. As noted, Ms. Collins ignored this issue or failed to assess it. Ms. Artner reported the issue but failed to address it to any extent. Dr. Smith brought it out into the open but also failed to discuss its relevance to his evaluation of Mr. Berger. And Dr. Beach noted only that “Mr. Berger grew up in a family with English as the primary language, and he speaks English fluently.” Dr. Beach’s comments in this regard belie an appreciation for the significance of having been raised with two languages and the common tendency to diminish the impact of another language by claiming dominance, primary status, or sufficient “fluency” in English as justification for ignoring the issue altogether.

That Mr. Berger is “fluent” in English is merely a product of having heard English as a young child, and possibly possessing at least one parent who may be a native English speaker (most likely his father). It does not, however, in any way diminish the importance of the fact that he is not now and never will be a monolingual English speaker and that, according to the documentation, he has had significant exposure throughout his life, primarily in the home, to another language besides English. He is therefore, as Ms. Artner noted correctly, bilingual and not monolingual and should have been evaluated in this light. Yet, Dr. Beach seems content to hear that Mr. Berger sounds just fine in his speech so that she felt it appropriate to completely ignore the issue. Dr. Beach may also have avoided the issue altogether for lack of expertise or knowledge concerning how his bilingual status should have affected every single score she attempted to interpret and affected every conclusion that she attempted to draw. That this did not happen can be seen plainly on page 19 of her 2010 report of evaluation where in the section on “Alternative Explanations for Academic Problems” Dr. Beach states “his history of learning issues cannot be explained by factors such as limited educational opportunity, low SES, limited motivation, limited study skills, or cultural/*language differences*” (emphasis added). Of course, Dr. Beach provides absolutely no discussion regarding how she was able to determine that language differences in this case (which are quite significant) had no role in his history of learning issues. Again, either she presumed that his English sounded good enough to ignore this as an issue or else she did not possess sufficient knowledge or expertise with which to draw a carefully deliberated conclusion, or both. When Mr. Berger’s developmental language experiences are appropriately considered in this case, it becomes clear that the only history of learning issues that are present are those that are reflected by the inequitable comparison of a bilingual student to monolingual ones.

Beginning with the evaluation by Ms. Collins, Mr. Berger has been repeatedly and extensively tested on a wide array of ability domains and academic skills. In each of these cases, the test being used was normed primarily, if not exclusively, on monolingual, native English-

speaking individuals. The evaluators in this case seem completely oblivious to the fact that in so doing, they were comparing the development of an individual whose background and experiences were not comparable to the individuals on whom the normative standards and expectations of performance were based. The simplest way to explain this problem is to consider that an individual like Mr. Berger who is hearing and learning two languages in the home before entering kindergarten, has effectively “split” time between the two. Although current research clearly shows that there are cognitive and academic advantages to bilingualism when it extends to a level that includes biliteracy, those beneficial effects are observed later, not early on. Nevertheless, research demonstrates that such bilingual individuals may well have comparative receptive vocabulary delays because they cannot, by definition, receive the same amount of language exposure early on as individuals who are learning only one language. Consider that if we allow the proportion of language heard in English vs. French by Mr. Berger when he was growing up to be set very much in favor of English, say 65% to only 35% French, this would mean that when entering kindergarten, he would have only about 2/3rds of the amount of language development that his peers possessed in kindergarten. To put this in concrete terms, the average kindergarten student has approximately 2000 words in their receptive vocabulary. An individual like Mr. Berger would thus have possessed only about 1300 words in comparison, or the equivalent of what a young 4-year-old might possess. Therefore, it is no surprise that this is precisely what Ms. Collins observed—lower than expected receptive language but average expressive, given that measurement of expressive language is invariably at a lower threshold than receptive at that age. This also explains why Mr. Berger was reported to not speak until the age of 3, and then spoke in complete sentences. The apparent delay in expressive abilities was the product of having to learn two different modalities of receptive language which, as noted already, caused an initial and mild delay in speech production early on. Once Mr. Berger’s exposure to English and vocabulary had sufficient time to develop, the receptive vocabulary gap grew less and less meaningful and began to result in better than expected achievement as indicated by his most recent lexical-based score (WAIS-IV VCI SS=150, 99<sup>th</sup> PR) and vocabulary score (WAIS-IV Vocabulary ScS=19, 99<sup>th</sup> PR).

A perspective from the point of view of language development permits a review of the findings from each of the reports where observations that are offered more as evidence of a learning disability can be seen to support the alternative premise that early language differences affected Mr. Berger’s learning. That the evaluators in this case were either unable or unwilling to recognize and appreciate its significance to their findings, is likely the result of a lack of competency in being able to do so which resulted in a terse, but convenient, dismissal of its importance. Nevertheless, it is possible to re-examine some of the conclusions that were offered in the course of the evaluations that were conducted and which may have led to conclusions about a learning disability that can now be seen as manifestations of Mr. Berger’s bilingual status that represents a far more logical and parsimonious explanation for his observed and reported academic difficulties. For example, the “severe discrepancies” reported by Ms. Artner between cognitive ability and academic performance and the statement by Dr. Smith that “reading and writing were very problematic when Brendan began school” make much more sense in light of the fact that Mr. Berger was attempting to learn to read and write at a point in his development where he was effectively behind in terms of English language development as compared to his monolingual English-speaking peers. To expect him to be at the same level, merely because he could speak English and was five years old, is irrational and discriminatory and the fact that he

was at least able to reach the average range in his academic work is a testament to his capability (as exemplified by his ability scores) rather than evidence of a learning problem. Dr. Smith also indicated that “there were initial learning problems with phonetic accuracy, letter reversals” which referenced Ms. Artner’s finding that Mr. Berger “reached 4.4 grade level for application of phonics to nonsense syllables.” Later, Dr. Smith attempts to invoke support for a learning disability by offering “A Proposed Explanation of Mr. Berger’s Dyslexia and Associated Learning Disabilities That May Extend to Early Learning Problems” which is rooted in “undetected phonological processing deficits.” Of course, Dr. Smith’s findings are inconsistent with his proposal largely because his findings including a Word Attack score of SS=95, but also because Ms. Artner’s implication of a phonological problem is based on a grade equivalent that is severely misleading and according to her report, is actually at the 26<sup>th</sup> PR and thus “average.” Dr. Beach falls prey to the same mischaracterization where she states that “there is extensive evidence in documentation reviewed showing that learning difficulties began during early school-age years, with an evaluation and diagnosis of a learning disorder during kindergarten.” Again, this statement is factually incorrect and relies on the single report by Ms. Artner who promoted this incorrect view by advancing the 4.4 grade equivalent score instead of the very solidly average percentile rank of 26. Thus, whereas the evaluators, including Dr. Beach who tries admirably and to an encyclopedic level, attempt to support the presence of a learning disability, they all failed to recognize the developmental disparities in English that existed from the very moment Mr. Berger entered school. Indeed, Dr. Beach stated that “the learning difficulties are no not better accounted for by...lack of proficiency in the language of academic instruction” in her attempts to support a learning disability diagnosis. She goes so far as to say, “there is no evidence in the history or current presentation for any of these, or that they provide a better explanation for the history of learning problems.” Despite her attempts to be meticulous and thorough, as evidenced by the length, breadth, and detail in her reports, Dr. Beach seems to have skipped right over Ms. Artner’s observation that French was spoken often in the home and Dr. Smith’s statement that Mr. Berger was raised in a bilingual home. Dr. Beach merely accepts the premise that because, as she notes, “English is the primary language in the home; he is fluent” that this is the end of the story and that her results are automatically valid and that language issues do not apply. Interestingly, Mr. Berger also indicated to Dr. Beach that “he is fluent in Japanese” but there was no indication that she considered or even attempted to evaluate him completely in Japanese, for obvious reasons. That these reasons are not so obvious when it comes to French, demonstrates the type of bias Dr. Beach displayed in ignoring the significance of differences in early language development and why it offers exactly what she stated it did not—a better explanation for the history of Mr. Berger’s learning problems.

Learning to read and write are often predicated on the application of phonological awareness abilities and facilitated by the use of simple words that are phonetically regular and within an individual’s existing receptive vocabulary. Here, there are two factors that likely affected Mr. Berger in a significant manner. First, both English and French tend to be *opaque* languages in that the correspondence between the way sounds and words are pronounced is not closely paralleled by the way they are spelled. And second, Mr. Berger’s phonological repertoire was much more extensive than that of a monolingual English speaker while simultaneously possessing a lower receptive vocabulary. It is, therefore, not surprising that Mr. Berger may well have felt extremely frustrated in trying to “catch up” to his peers in this regard given the circumstances of his linguistic development. Again, it is important to note that bilingualism is



not a hinderance to overall educational outcome and that being bilingual and biliterate often confers an educational advantage over monolinguals (as it seems to have done in Mr. Berger's case). But that advantage only appears, when it does appear, later in schooling (e.g., as seen in Mr. Berger's high school verbal ability and vocabulary scores), and not in the early stages of learning when basic academic skills are being taught and learned. In this early developmental period, bilinguals are likely to experience more difficulties than average because of the variance in their English language development as compared to their monolingual peers as a function of wide-ranging differences in exposure, opportunities for practice, rehearsal, and lack of formal education in one or the other language.

One of the things that can help bilinguals maintain their academic performance in school is the provision of extra time to increase exposure which thus affords them with more opportunity for practice and rehearsal. This is precisely what Dr. Smith states in his 2008 evaluation where he noted that "*Mr. Berger has been able to attain his current academic performance because of the accommodations for a learning disability*" (emphasis in original). Without any consideration of bilingualism, this might make sense, but in light of what is known about Mr. Berger, the statement would be more accurate if stated as "Mr. Berger has been able to attain his current academic performance because of the accommodations for a language difference." Similar, but equally faulty logic, is applied in his 2010 addendum where Dr. Smith attempts to move the notion of learning disability forward by pointing out that Mr. Berger's "significantly lowered W-J III scores, each more than one standard deviation below the mean for his age range in the normal population, exist in reading fluency, math fluency, and academic fluency." Of course, he fails to note that the "mean for his age range in the normal population" is not the population against whom Mr. Berger should be compared as Mr. Berger has not had the same opportunities or the same amount of time or experience with the development of English, let alone with just one language. Thus, rather than suggesting "a learning disability that affects reading, math and written expression" it only demonstrates how inequitable it is to compare bilinguals to monolingual norms. Dr. Smith further attempts to push the issue toward phonological processing by stating that "it may be that an underlying problem with accurate phonemic encoding affects subsequent word recognition which in turn prolong the time necessary for comprehending the longer volumes of text required in timed sequences." This rather tortured and convoluted bit of logic is better explained by noting that phonological processing plays no role in developing or advancing reading ability past elementary school and that due to the opaqueness of English and French, a whole word or sight word approach is often far more effective, albeit takes a bit longer to master. In addition, it takes Mr. Berger a bit more time to comprehend text or to write it out precisely because he lacked the automaticity and fluency that his monolingual peers were able to develop through a developmentally appropriate curriculum and education—the very same one that did not, because of his bilingualism, accord him the same opportunity.

By the time Dr. Beach evaluates Mr. Berger, a perpetuation of the same faulty logic and lack of attention to language issues remains evident. Dr. Beach claims that Mr. Berger's "learning disorders have historically imposed a severe limitation upon his opportunity to access academic learning and performance opportunity, but lifelong accommodations for disability have empowered him to achieve at a very high level." Much as with Dr. Smith's statement, a better re-statement would be that "his developmental language experiences have historically imposed a



severe limitation upon his opportunity to access academic learning and performance opportunity, but lifelong accommodations have empowered him to achieve at a very high level.” Dr. Beach even promotes the same mistaken notions first proffered by Dr. Smith, in that she states that with respect to the 1994 evaluation by Ms. Artner, “there is a specific diagnosis of dyslexia in the assessment report, with reading /writing / written math limitations characterized by extremely slow working rate due to severe limitations in phonological analysis, word decoding, spelling, delayed acquisition of letter-sound correspondence skills, and limitations in written math ability and fluency.” In point of fact, there is no such specific diagnosis of dyslexia in that report, but the descriptions of difficulties listed by Dr. Beach are again very reflective of the types of difficulties that would be predicted by Mr. Berger’s language development and background. The opacity of English and French, the slight delay in early receptive vocabulary acquisition, the splitting of time in two languages rather than just one, and an education designed to promote literacy in only one of his two languages all conspired predictably to produce these exact issues. What is most unfortunate for Mr. Berger is that these characteristics, while being due to the circumstances surrounding his bilingual development, are precisely those which evaluators look for in determining a learning disability despite professional guidelines, diagnostic standards, and legal specifications calling for attention to such language differences.

That these evaluators were unable to discern the difference between a learning disability and a language difference is no fault of Mr. Berger or his parents, but rather the professionals who might have been better off acknowledging the limitations of their ability to consider appropriately such factors. It is rather disheartening to find Dr. Beach continuously point out difficulties in support of her claim of learning disabilities over the course of 30, 57 and 90-page reports which make Mr. Berger appear to be grossly impaired as he is mercilessly described as deficient rather than acknowledge the effect of his bilingualism. For example, Dr. Beach notes that “there are frequent word misidentifications and omissions involving function words, morphological units, article, and important conceptual words relevant to passage meanings,” “several neuropsychological measures to indicate limitations in cognitive fluency,” “another basic indicator of slow processing speed,” “errors in identifying words and syntactic units, repeated pauses to solve problems due to miscues, and other dysfluencies,” “ability to efficiently and effectively process information initially encountered in working memory during reading, including fluent word identification to support the comprehension process, is severely compromised,” and so forth. One gets the impression that it is virtually a miracle that Mr. Berger has succeeded to any degree in school when the reality is that even when granted extended time, Mr. Berger must still possess and apply the ability to read and comprehend effectively. Given his history, he has done so quite well, and these frightening limitations described relentlessly by Dr. Beach all seem to stem from simply not having enough time to read and write, and not from being unable to read or write. The documentation in this case, particularly Mr. Berger’s bilingual status, lead to a reasonable conclusion that his slowness in tasks involving reading, writing, and math that requires reading (e.g., word problems, math concepts, etc.), have been compromised only by his early developmental experiences wherein he was learning two languages and being educated in a way that was not designed to foster age- or grade-appropriate growth and development in either or both. By the time Dr. Beach conducts her final evaluation, Mr. Berger is now almost 32 years old and a 4<sup>th</sup> year medical student. She manages to cut down her report from a prior high of 90 pages to 57 mostly through the use of a smaller font size. But the vast majority of what she states is no different than what she had offered previously, and it continues

to be primarily a litany of cognitive, neurocognitive, and academic difficulties that in her opinion support a diagnosis of learning disability in reading and writing. Like before, there is a disappointing lack of any discussion regarding Mr. Berger's developmental experiences related to language and his bilingual status and its impact on the validity of the tests used in her evaluation. The report alludes to time as an issue in noting things like "there is extensive evidence to show that symptoms of learning and attention disorders require Mr. Berger to invest much more mental effort over a given period of time than the average adult to achieve reading comprehension and even more so when there is a longer period of time spent reading." Extra time may well be something that assists Mr. Berger in performing better, but his need for extra time is not rooted in a learning disability and his learning issues are merely the result of his early developmental language differences.

In many respects, what Mr. Berger can or cannot do at present with respect to reading quickly or comprehending effectively is largely irrelevant because his current difficulties did not exist in his early development and do not support the presence of a learning disability. As a child, Mr. Berger was able to learn to read and write at a level that was in fact commensurate with his peers and the fact that he may not believe he is able to do so at present is neither a cause for concern nor an indication of a learning disability. More importantly, even if he reads more slowly or comprehends with less efficiency, he does so not because of a learning disability but likely only because of his diverse language development and history. No matter the detail and degree of information and analysis provided by Dr. Beach, the reality is that she continues to treat, evaluate, and interpret her scores as if Mr. Berger were a monolingual English speaker. He is not. It has been clearly established that such a background (based on monolingualism in English) does not characterize his development and therefore every single test administered by Dr. Beach lacks validity and cannot be interpreted or assigned meaning. To do so, as Dr. Beach does throughout her lengthy reports, represents an indefensible practice that flatly ignores one of the most important variables in Mr. Berger's life and which, by dismissing it as she has done, serves only to erroneously diagnose him with a range of disorders that he does not have. That Dr. Beach, as well as the other evaluators, have failed to better appreciate and consider Mr. Berger's developmental background related to bilingualism can be seen in the patent statement offered by Dr. Beach in her report where she states, "All tests administered are established as reliable, valid, standardized, and nationally normed by adult ages." Were Dr. Beach to review the manual of each and every one of the numerous tests she administered, she might be surprised to find that not one of them provides any indication or offers any empirical evidence that they are valid for use with bilinguals or that they were normed specifically on bilinguals while controlling for the variable amount of exposure to English across each age within the sample. To flatly state that the results are "valid" represents nothing more than a specious declaration that often goes unchallenged and accepted even in cases like this one where it is egregiously wrong. Neither Dr. Beach nor anyone else using these tests can claim to know what score represents "average" performance because the norms were not established on individuals like Mr. Berger who possess the same degree of exposure to English as he has had at each age at which he has been tested. The standard deviation of such a hypothetical distribution remains equally unknown as does the standard error of measurement for any of the subtests/indexes/composites/clusters. To attempt to assign meaning to them, as Dr. Beach and the other evaluators have done, is to offer nothing more than a mere guess that cannot be defended or corroborated. Because Mr. Berger was evaluated as if his developmental experiences in language were monolingual, he has been

repeatedly and unfairly placed in situations that have placed him at a disadvantage in many ways. Ultimately, he has been expected to compete effectively with individuals who were developmentally different from him and for whom the educational system provided an advantage precisely because of its focus on English only. The use of invalid tests to support inequitable interpretation only serves to compound what is already a significant source of bias and lack of fairness in the measurement of Mr. Berger's abilities, skills, knowledge and very likely represents an underestimate of his true capabilities and a gross mischaracterization regarding the nature of his difficulties.

What is perhaps even more disconcerting is the possibility that Mr. Berger seems to have slowly internalized what he has long been told about himself over time, to the point that it has subconsciously affected his behavior during testing. It was noted at the outset that it was very likely that Mr. Berger has come to view the existence of time constraints as an issue with which he need not concern himself given his lifelong history of time accommodations. Evidence of this can be seen in the difference between his time and untimed scores in academic areas as well as the relative and consistent decline in measured academic performance on timed tasks only. Beginning in high school, Mr. Berger had scores of SS=113 (Reading), SS=123 (Math), SS=103 (Written Language), and SS=115 (Oral Language). At the age of 23, he obtained a Reading score of SS=139, Math score of SS=129, and a Written Language score of SS=91. Note that the latter score in written language was now lower and thus more consistent with the diagnosis of learning disability in written language, which he had been told he possessed, than it was previously. A drop in academic functioning of 24 points (more than 1.5 SD) is extremely unusual, although his performance did remain in the average range. At the age of 24, he obtained a Broad Reading score of SS=104, Broad Math score of SS=105, and Broad Written Language score of SS=107 which showed a return to a level more aligned with earlier performances. Despite the remarkable consistency in his general academic performance across the years, his fluency scores showed far more variability. For example, at the age of 24 where the first fluency scores are presented, he obtained a Reading Fluency score of SS=85, Math Fluency score of SS=57, and a Writing Fluency score of SS=93. In later analyses by Dr. Smith and Dr. Beach, there is an effort to use slow processing speed as the explanation for these scores but that argument is weak given that his Processing Speed Index was average (SS=93) not deficient, and reading was within normal limits and writing was average and a processing speed problem does not lead to specific academic difficulties, particularly not in math. When he is evaluated just three years later by Dr. Beach at the age of 27, he again obtains a Broad Reading score of SS=99, Broad Math score of SS=117, and Broad Written language score of SS=99, which again are all very consistent with prior testing. But now his other fluency scores have suddenly dropped. His Reading Fluency scores is down by 10 points (SS=75) and his Writing Fluency is down by 14 points. Math Fluency remained the most deficient area (SS=61). Then, according to his last and most recent evaluation at the age of 31, general Reading has begun to drop a little (SS=86) but Written Language has remained stable (SS=96) and Math Calculation likewise remained comparable to prior testing (SS=117). However, his fluency scores have now all but bottomed out (Sentence Reading Fluency SS=46, Math Facts Fluency SS=56, Sentence Writing Fluency SS=69). From age 24 to 31, a span of only 7 years and while attending higher education, Mr. Berger has gone from reading fluently at a level that was within normal limits (SS=85) to a near 40- point decline (SS=46). Such a decline represents an astonishing 2 and 2/3<sup>rd</sup> SD drop even when he is compared to individuals where only about half have even continued with any higher education after high

school. A similar pattern is also evident in Mr. Berger's performance in the area of processing speed. When evaluated in high school, Dr. Smith provides the first indication of his ability in this area and reports the WAIS-III Processing Speed Index as SS=93, which despite being lower than his other indexes, is still solidly in the average range. When re-evaluated by Dr. Smith in 2008 at the age of 23, Mr. Berger obtains a Processing Speed Index score of SS=96, again well within the average range and almost exactly at the mean of the distribution of the normative sample. When he was first evaluated by Dr. Beach in 2010, she relied on his previous WAIS-III results but ignored the more reliable and average index value and instead attempted to highlight it as a weakness by comparing it to the other index scores. Like other evaluators, she claims that the fact that is significantly below the other scores must mean that "processing speed severely limits Mr. Berger's opportunity to engage in cognitive work compared to the average person" even though a SS=96 is equal to the 47<sup>th</sup> percentile rank and indicates the exact opposite—that he is able to engage in cognitive work about as well as the average person in the general population. For that reason, Dr. Beach avoids the PSI temporarily in favor of a single subtest performance at the 16<sup>th</sup> PR for Coding to provide sideways support for a learning disability. But by the age of 24, Dr. Beach's evaluation of Mr. Berger's processing speed ability has now dropped almost 2SD to SS=68. While there may be reasons for this type of enormous decrease in functioning, the presence of a learning disability is not one of them. Rather than indicating a learning disability, these results, given the consistency in non-fluency tasks, and the precipitous and exceptionally large magnitude of decline in fluency related tasks and processing speed ability, support the notion that Mr. Berger no longer even attempts to work quickly even when advised to, given that he has long been permitted to disregard time constraints altogether.

In summary, a review of the documentation submitted in support of reconsideration regarding denial of Mr. Berger's request for accommodations on Step 2-CK provides a new perspective that does not appear to have been considered or addressed previously—his bilingual status. Perhaps because this issue is only mentioned briefly in two evaluation reports, almost as an aside, it has not been examined in light of the efforts to determine whether the documentation supports or does not support the presence of a learning disability in the area of reading and written expression. This does not mean, however, that it is an insignificant factor. To the contrary, it is perhaps the most important factor included in the documentation and its relevance to the purpose of this and any prior reviews is enormous. Mr. Berger's early developmental history has been examined formally since the age of 6 and periodically since that time. In all cases, however, there has been no attention to the fact that Mr. Berger was raised bilingually and learned French at home in addition to English. Although English was the language of instruction while in school, and while it may be that at least one of Mr. Berger's parents is a native English speaker as well, does not alter the significance of the fact that French was also a language "spoken often" in the home. A discussion of the degree of importance that needed to be ascribed to Mr. Berger's early language development, particular relative to notions of learning disability, reveals that what has been routinely described and observed as characteristics of a learning disability, are much more likely to be a result of his bilingual status than symptomatic of intrinsic learning problems. Because the manifestations of such differences in monolingual vs. bilingual language development tend to very closely mimic the type of learning problems most associated with a learning disability, it is not surprising that some of the evaluators in this case have leaned in that direction. But the documentation contains powerful evidence that suggests that even in the absence of a language difference, there is significant equivocation in the results and even among



the evaluators as to whether a learning disability is present or could be supported. The prior denials of accommodations by the NBME were based entirely on the merits of arguments that examined the issue of learning disability without any consideration of language difference. And while the present review also finds no compelling evidence to indicate that a learning disability is supported by the documentation when language differences are not considered, the conclusions offered here are based on additional examination of the language difference which, in the sake of fairness, cannot be excluded. When applying a perspective that uses Mr. Berger's early developmental language experiences as the context by which to assess his elementary learning history, it becomes clear that what was reported as possible and suggested indicators of learning problems were nothing more than the expected and predictable manifestations of his bilingual, not monolingual, status. According to the documentation, Mr. Berger learned to comprehend French, and probably had some degree of speaking proficiency as well, although that was likely lost early on given that his education was in English only. The nature of English and French relative to their opacity (lack of correspondence between phonology and morphology) as well as the slight delay in vocabulary that stemmed from splitting time between two languages, all resulted in the precise types of learning issues reported and observed in Mr. Berger's early schooling, particularly in his efforts in learning to read. His suspected learning problems also appear to have been exacerbated by overly dramatized comparisons to his other more exceptional abilities that ignored the fact that he read and wrote at an average level, nonetheless. As time has passed, Mr. Berger has been accorded extra time so often and so routinely that he no longer appears to have any concerns about working efficiently and his testing results demonstrate this decline. None of this, however, changes the fact that Mr. Berger does not now have, and more importantly, has never had, a learning disability. In addition, improvements in performance when given extra time do not alter this fact. In short, Mr. Berger's current reading and writing issues, and their relation to his taking a timed test, are not attributable to a learning disability but instead represent the early effects of language difference. Whatever difficulties Mr. Berger may have at present in completing timed tests cannot be viewed or attributed to the presence of a learning impairment in reading or written expression. By all accounts, and in light of his early developmental experiences, it is clear that whatever learning issues he encountered as a child, and even now as an adult, were not rooted in a learning disability and are reasonably and parsimoniously explained by his bilingual background. While the noted differences in development (and education) have manifested in various learning issues, it must be understood that this process does not constitute impairment due to a disability for which accommodations would otherwise be appropriate. Because the effect of bilingualism is neither compatible with the definition of disability and does not constitute the basis for establishing one, it is my considered opinion that a diagnosis of learning impairment in reading or written expression is wholly unsupported and that Mr. Berger's request for accommodation on Step 2-CK remains unwarranted and should therefore be denied.